
(2020) 09 MP CK 0211

In the Madhya Pradesh High Court

Case No : Miscellaneous Criminal Case No. 4474 Of 2020

Shashank Rajput

APPELLANT

Vs

State Of M.P. & Another

RESPONDENT

Date of Decision : 25-09-2020

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 320, 482
Indian Penal Code, 1860 — Section 294, 323, 324, 506

Citation : (2020) 09 MP CK 0211

Hon'ble Judges : Rajeev Kumar Shrivastava, J

Bench : Single Bench

Advocate : Sumit Mishra, Girraj Soni, Aditya Sharma

Final Decision : Allowed

Judgement

I.A. No.15367/2020, an application for urgent hearing, is taken up, considered and allowed for the reasons mentioned therein.

This application under Section 482 of CrPC has been filed for quashing the FIR in Crime No. 444/2019 registered at Police Station University, District Gwalior for the offences punishable under Sections 323, 294, 506 of IPC and added Section 324 of IPC.

It is submitted by learned counsel for the petitioner that respondent No. 2/ complainant has entered into a compromise with the petitioner and, therefore, the present petition has been filed for compounding the offence on the basis of compromise.

Along with the petition, application I.A. No. 960/2020 has also been filed by the complainant-respondent No. 2 and the applicant jointly. The application is duly signed by both the parties and is supported by affidavits of respective parties.

In compliance of the order dated 10/2/2020 passed by this Court, the factum of compromise has been verified by the Principal Registrar of this Court, who has

recorded statement of complainant/respondent No. 2 Rahul Joshi S/o Shri Ramesh Chandra Joshi as well as applicant/accused Shashank Rajput S/o Shri Sarnam Singh Rajput and has submitted a report that the parties have arrived at compromise voluntarily without any threat, inducement and coercion. The verification report further states that as per Section 320 CrPC, the offences under Sections 324, 294 are not compoundable.

In the light of the judgments passed by the Supreme Court in the cases of Gian Singh vs. State of Punjab, [(2012) 10 SCC 303] and Narinder Singh & Ors. vs. State of Punjab & Anr., [(2014) 6 SCC 466], and considering the fact that the parties have resolved their dispute as well as the nature of offence which cannot be said to be an offence against the society at large, FIR registered by Police Station University, District Gwalior against applicant Shashank Rajput at Crime No. 444/2019 for the offences punishable under Sections 323, 294, 506 of IPC and added Section 324 of IPC and all other consequential proceedings are hereby quashed.

Petition stands allowed accordingly.