

(2021) 02 RAJ CK 0028

In the Rajasthan High Court

Case No : Criminal Miscellaneous (Petition) No. 1106 Of 2021

Suresh Meena And Ors

APPELLANT

Vs

State Of Rajasthan And Ors

RESPONDENT

Date of Decision : 17-02-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482

Indian Penal Code, 1860 — Section 120B, 420, 467, 468, 471

Citation : (2021) 02 RAJ CK 0028

Hon'ble Judges : Mahendar Kumar Goyal, J

Bench : Single Bench

Advocate : Virender Godara, F.R. Meena, Khizer Iqbal Khan

Final Decision : Allowed

Judgement

This criminal miscellaneous petition under Section 482 Cr.P.C. has been filed for quashing the criminal proceeding in the criminal case No.2836/2019,

State Vs. Suresh & Ors. pending in the Court of learned Additional Chief Judicial Magistrate No.7, Kota arising out of FIR No.0239/2017 dated

10.05.2017 registered at Police Station Nayapura, District Kota for offence under Sections 420, 467, 468, 471 and 120-B of I.P.C.

Learned counsel for the petitioners submitted that the FIR in question arises out of private dispute predominantly of civil nature among the family

members. Relying on the affidavit of the complainant attested by Notary Public on 02.02.201, he submitted that since the matter has been settled

amicably between the parties, the FIR in question is liable to be quashed in view of the judgments of the Hon'ble Apex Court of India in cases of Gian

Singh versus State of Punjab & Anr. reported in JT 2012 (9) SC-426 & Narinder Singh & Ors. versus State of Punjab & Anr. reported in 2014

Cr.L.R. (SC) 351.

Learned Public Prosecutor has opposed the criminal miscellaneous petition.

Learned counsel appearing for the complainant acknowledging the factum of compromise between the parties, submitted that he has no objection if the criminal proceeding pending against the petitioners is quashed.

Heard the learned counsels for the parties and perused the record.

From the material on record, it is apparent that the dispute, private and predominantly of civil nature, has amicably been settled between the parties. In view of compromise and the law laid down by the Hon'ble Apex Court of India in cases of Gian Singh (supra) & Narinder Singh (supra), this Court deems it just and proper to quash the criminal proceeding pending against the petitioners.

Resultantly, this criminal miscellaneous petition is allowed. The criminal proceeding in the criminal case No.2836/2019, State Vs. Suresh & Ors.

pending in the Court of learned Additional Chief Judicial Magistrate No.7, Kota arising out of FIR No.0239/2017 dated 10.05.2017 registered at Police

Station Nayapura, District Kota for offence under Sections 420, 467, 468, 471 and 120-B of I.P.C. is quashed.