
(2013) 08 MP CK 0307
In the Madhya Pradesh High Court
Case No : Mis. Cr. Case No. 3831/13

Udaiveer Singh and Another	Vs	APPELLANT
State of M.P. and Others		RESPONDENT

Date of Decision : 05-08-2013

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 482
Penal Code, 1860 (IPC) — Section 294, 307, 327, 336, 34

Citation : (2013) 08 MP CK 0307

Hon'ble Judges : Brij Kishore Dube, J

Bench : Single Bench

Advocate : Aditya Singh, for the Appellant; R.K. Shrivastava, Panel Lawyer for Respondent No. 1/State and Shri Mehmood Khan, Advocate for Respondent Nos. 2 and 3, for the Respondent

Final Decision : Disposed Off

Judgement

Brij Kishore Dube, J.—This petition u/s 482 of Cr. P.C. is preferred by the petitioners for quashing the criminal proceedings instituted against them by the respondent No. 3, Vishal alias Lala and the respondent No. 2, Ranmat Singh alias Ajay vide Crime No. 129/2012 under Sections 327, 336, 294, 506, 341 read with 34 of IPC and subsequently added Section 307 of IPC registered at Police Station, Narwar, District Shivpuri and the consequent criminal proceedings bearing S.T. No. 211/13 pending before the Additional Sessions Judge, Karera, District Shivpuri.

2. The quashment of the criminal proceedings has been prayed by the petitioners on the ground of compromise of the matter with the respondents No. 3 being the complainant and the respondent No. 2.

3. Learned counsel for the petitioners and the respondents No. 2 and 3 jointly submits that both the parties have amicably settled the subject-matter of the crime amongst themselves and the complainant has no objection in dropping the criminal proceedings pending against the petitioners. In this regard, the

respondents No. 2 and 3 have submitted I.A. No. 5932/13 alongwith an affidavit dated 17/06/13.

4. The respondent No. 3/complainant and the respondent No. 2 by presenting themselves before this Court also submits that they do not wish to prosecute the petitioners as they have settled all the disputes amicably with the petitioners.

5. The Supreme Court in *Shiji @ Pappu and Others Vs. Radhika and Another*, it has been ruled that where there is no chance of recording conviction against the accused persons and the entire exercise of a trial is destined to be exercise of futility, the criminal case registered against the accused persons though it may not be compoundable can be quashed by the High Court in exercise of powers u/s 482 of Cr. P.C.

6. In view of the foregoing and having regard to the factum of compromise arrived at between the parties and in the light of law laid down by the Apex Court in the case of *Shiji @ Pappu (supra)*, the criminal proceedings vide Crime No. 129/2012 under Sections 327, 336, 294, 506, 341 read with 34 of IPC and subsequently added Section 307 of IPC registered at Police Station, Narwar, District Shivpuri and the consequent criminal proceedings bearing S.T. No. 211/13 pending before the Additional Sessions Judge, Karera, District Shivpuri so far as it relates to the petitioners alone ordered to be quashed.

7. This petition is disposed of accordingly. Certified copy as per rules.