

MCRC-2371-2017

(DR. AJAY VAJPAYEE Vs THE STATE OF MADHYA PRADESH)

31-07-2017

Shri A. Shrivastava, learned counsel for the petitioner.

Shri A. Soni, learned DGA for the respondent No.1/State.

Shri Faizal Khan, learned counsel for the respondent No.2.

Respondent No.2 is present in person.

Heard.

The petitioner has come before this Court for quashment of proceedings in criminal case No.2783/2010 pending before JMFC, Indore under Section 498-A, 323, 506/34 of IPC.

It is submitted by petitioner that before the trial Court both the parties entered into compromise and filed a petition for compromise which was allowed by learned JMFC, Indore. The accused was acquitted from the charges under Section 323, 506/34 of IPC as both the offences were compoundable but the compromise was not accepted by learned JMFC, Indore with regard to offence under Section 498-A of IPC as the offence is non-compoundable.

Respondent No.2 is present in person and submitted that she has compromised the case and she has no grudge against the petitioner and she does not want to continue the proceedings before the trial Court.

Learned trial Court in his impugned order dated 12/12/2014 observed that both the parties have entered into the compromise without fear, favour, undue

influence, coercion or harassment. They have entered into the compromise voluntarily, therefore, allowed the compromise with regard to compoundable offences.

Considering the compromise between the parties and the fact that parties have entered into the compromise voluntarily, the present petition is deserves to be and is hereby allowed keeping in view the judgment of Hon'ble Supreme Court passed in **Jarnail Singh vs. State of Haryana AIR 2013 SC 3467**. The proceedings of trial Court regarding criminal case No.2783/2010 are hereby quashed. Petitioner has acquitted from the charge under Section 498-A of IPC. His bail bonds stand discharged.

(VIRENDER SINGH)
JUDGE