

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Criminal Misc. (Petition) No. 606/2025

1. Mahadev Jat S/o Shri Mangu Ram Jat, Resident Of Vijaypura, Police Station Narainpur, District Alwar (Rajasthan).
2. Kaluram Jat S/o Shri Mangal Ram Jat, Resident Of Vijaypura, Police Station Narainpur, District Alwar (Rajasthan).

----Petitioners

Versus

1. State of Rajasthan, Through PP
2. Prahlad S/o Shri Mangu Ram Jat, Resident Of Vijaypura, Police Station Narainpur, District Alwar (Rajasthan).

----Respondents

For Petitioner(s) : Mr. Mamraj Jat

For Respondent(s) : Mr. Vijay Singh Yadav, PP

HON'BLE MR. JUSTICE GANESH RAM MEENA

Order

31/01/2025

1. By filing this criminal misc. petition under Section 528 of BNSS, the petitioner has prayed to quash and set aside the order dated 11.07.2024 passed by the Court of learned Additional Chief Judicial Magistrate, Thanagazi, District Alwar in Criminal Case No. 23/27/23 titled "State Vs. Mahadev & Anr." and further to quash and set aside the pending criminal case arising out of FIR No.74/2011 registered at Police Station Narainpur, District Alwar for the offences punishable under Sections 420, 406, 467, 468 & 471 of IPC.

2. Learned counsel for the petitioners submits that the parties have entered into a compromise and submitted an application

before the Court of learned Additional Chief Judicial Magistrate, Thanagazi, District Alwar to attest the compromise. However, the learned trial Court attested the compromise as regards the offences under Section 420, 467, 468, 471 & 120B of IPC observing that the trial is pending.

3. Heard.

4. The brief facts of the case are that the FIR No.74/2011 was lodged by the complainant at Police Station Narainpur, District Alwar for the offences under Section 420, 406, 467, 468 & 471 of IPC and the Police after completion the investigation has submitted charge-sheet against the petitioners for offences under Sections 420, 467, 468, 471 & 120B of IPC. Thereafter, the learned trial Court took and has framed the charges against petitioner for the aforesaid offences under Section 420, 467, 468, 471 & 120B of IPC.

5. The parties after removing their bad blood have entered into a compromise and they have submitted an application before the learned Additional Chief Judicial Magistrate, Thanagazi, District Alwar, wherein, the complainant has stated that he does not want any further proceedings in the matter.

6. The learned trial Court vide order dated 11.07.2024 has attested the compromise as regards the offence under Section 420, however, denied to attest the compromise for the offences under Sections 467, 468, 471 & 120B of IPC are not compoundable.

7. Learned counsel appearing for the complainant admits the fact of compromise arrived at between the parties.

8. Considered the submissions made at bar and also perused the relevant material available on record.

9. Having regard to the submissions made by the counsel appearing for the parties so also the fact of compromise arrived at between the parties as well as the law laid down by the Hon'ble Supreme Court in the cases of ***Gain Singh Vs. State of Punjab & Anr. (2012 Cr.L.J. (SC) 4934)*** and ***State of Haryana & Ors. Vs. Ch. Bhajan Lal & Ors. (AIR 1992 SC 604)***, this Court feels that it is a fit case to exercise inherent jurisdiction of this Court provided under Section 528 of B.N.S.S.

10. Accordingly, this criminal misc. petition is allowed and the whole proceedings of Criminal Case No.23/27/23; 'State vs. Mahadev & Anr.' pending before the Court of learned Additional Chief Judicial Magistrate, Thanagazi, District Alwar arising out of FIR No.74/2011 registered at Police Station Narainpur, District Alwar qua the present petitioners are hereby quashed.

11. Pending application, if any, also stands disposed of.

(GANESH RAM MEENA),J

DIVYA SAINI /41