

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Misc. Appli No. 108/2026

1. Yogesh Arya S/o Shri Jahan Singh, Aged About 46 Years,
R/o 9/484 Chopasani Housing Board Jodhpur
2. Pawan Raj Bhandari S/o Shri Paeasmal Bhandari, Aged
About 51 Years, R/o 2-Ga-30 Madhuban Housing Board
Jodhpur

----Petitioners

Versus

1. State Of Rajasthan, Through Pp
2. Rajkumar Bhagwani S/o Shri Bhagwan Das, Aged About
54 Years, 25 Surajnagar Chopasani Housing Board
Jodhpur

----Respondents

For Petitioner(s)	:	Mr. Aidan Choudhary
For Respondent(s)	:	-

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

25/02/2026

Learned counsel for the petitioners filed this misc. application seeking correction in the order dated 30.01.2026 passed by this Court in S.B. Criminal Misc. Petition No.10152/2025. It was submitted that the petition was, in fact, filed for quashing of criminal proceedings pending against the petitioners before the learned trial Court for the offences in view of the compromise arrived at between the parties under Sections 467, 468, 471 and 120-B of IPC.

Learned counsel submitted that due to inadvertent typographical error, instead of offences under Sections 467, 468, 471 and 120-B of IPC, the offences under Sections 420 and 406

IPC have been mentioned in the order dated 30.01.2026. Learned counsel thus prayed for appropriate correction in the order dated 30.01.2026.

For the reasons mentioned in the application, the same is allowed. The correct order dated 30.01.2026 shall now be read as under:-

"The instant criminal misc. petition under Section 528 BNSS has been filed by the petitioners seeking quashing of the criminal proceedings in Criminal Original Case No.10455/2016 pending before the learned Additional Chief Judicial Magistrate No.1, Jodhpur Metropolitan for the offence under Sections 420 and 406 of IPC to the extent that the learned court below has refused to compound the offence under Sections 467, 468, 471 and 120-B of IPC.

Learned counsel for the petitioners submitted that the petitioners and the complainant have settled their disputes and have arrived at a compromise. The said compromise was submitted before the learned court below by filing an application under Section 320 Cr.P.C., however, the learned court below, though accepted the compromise to the extent of Sections 420 and 406, but denied to compound the offence punishable under Sections 467, 468, 471 and 120-B of IPC.

*Learned counsel for the petitioners has placed reliance on the decision of Hon'ble the Supreme Court in the cases of **Gian Singh Vs. State of Punjab & Anr.** reported in **(2012)10 SCC 303**]. He therefore prayed that the impugned criminal proceedings pending against the petitioners may kindly be quashed.*

Learned counsel for the complainant concurs the factum of compromise and submits that in view of the compromise, the complainant is not inclined to proceed further in the matter.

*In view of the compromise arrived at between the parties and applying the ratio in decision of **Gian Singh (Supra)**, this Court deems it just and proper to invoke inherent powers under Section 528 BNSS.*

Accordingly, the instant misc. petition is allowed. The the criminal proceedings in Criminal Original Case No.10455/2016 pending before the learned Additional Chief Judicial Magistrate No.1, Jodhpur Metropolitan for the offence under Sections 467, 468, 471 and 120-B of IPC are hereby quashed.

Stay petition stands disposed of."

This order shall be treated as a part and parcel of the order dated 30.01.2026.

(KULDEEP MATHUR),J