

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

S.B. Criminal Miscellaneous (Petition) No. 579/2022

1. Ramniwas S/o Panchuram, Aged About 32 Years,
2. Panchuram S/o Deviram, Aged About 72 Years,
3. Chandramohan S/o Panchuram, Aged About 21 Years,
4. Prabhulal S/o Panchuram, Aged About 20 Years,
5. Mamta D/o Panchuram, Aged About 24 Years,

All R/o Village Abhaneri, Post Nizampura, Tehsil Ramgarh
Pachwara, District Dausa.

6. Ramoti W/o Ramotar, Aged About 28 Years,
7. Panbai W/o Ramkishan, Aged About 26 Years,
Both r/o Madhyawala, Police Station Tunga, District Jaipur.

----Accused Petitioners

Versus

1. State Of Rajasthan, Through Secretary Home
Department, Government of Rajasthan, Jaipur.
2. Victim, D/o Arjunlal Meena, R/o Village Ganglaywas
(Khahadariya), Police Station, Ramgarh Pachwara, District
Dausa.

----Respondents

For Petitioner(s)	:	Mr. Girraj Prasad Sharma, Advocate
For Respondent(s)	:	Ms. Priyanka for Mr. Hansraj Kuldeep, Advocate Mr. Vivek Choudhary, Dy. GA.

HON'BLE MR. JUSTICE BHUWAN GOYAL

Order

26/02/2026

1. At the very outset, learned counsel for the petitioners submits that after investigation, the alleged offence is not found to have been made out against the petitioners no. 2, 3, 4, 5, 6 and

7, therefore, he does not want to press the petition qua the aforesaid petitioners.

2. The criminal misc. petition qua petitioners no. 2, 3, 4, 5, 6 and 7 is accordingly dismissed as not pressed.

3. Now, the present petition is confined to the extent of petitioner no.1 – Ram Niwas only.

4. By way of filing the instant criminal misc. petition under Section 482 CrPC, the petitioner has prayed for the following reliefs:-

“(i) It is, therefore, most respectfully prayed that your Lordships may graciously be pleased to accept this criminal misc. petition and be further pleased to quash the FIR No. 0016/2022 registered at Police Station, Ramgarh Pachwara, District Dausa.

(iii) Any other order or direction may kindly be passed in favour of the petitioner as your Lordships may deem just and proper in the facts and circumstances of the case.”

5. The parties are present in person today in the Court. Their signature have been obtained on the order sheet and they have been identified by their respective advocates.

6. Learned counsel for the petitioners submits that FIR No. 16/2022 was lodged by the complainant-respondent no.2 for the offence under Sections 376(2)(n), 376-D, 377, 498-A, 494, 323 and 341 IPC. After completing the investigation, the police submitted the charge sheet against the petitioner no.1 for the offence under Sections 498A and 406 IPC. The trial court framed charges against him for the said offences. He further submits that the matrimonial acrimony accrued between parties has been amicably settled by way of compromise. He further submits that the petitioner filed an application before the trial court to drop the

criminal proceedings under Section 498A and 406 IPC. The trial court vide its order dated 20.2.2026 attested the compromise for the offence under Section 406 IPC only and the compromise qua offence under Section 498A IPC has not been attested being non-compoundable. He has prayed that on the basis of compromise, FIR No. 0016/2022 registered at Police Station, Ramgarh Pachwara, District Dausa arising out of the impugned FIR and all subsequent proceedings in Cr. Case No. 104/2026 pending before Judicial Magistrate, Lalsot, District Dausa may be quashed and set-aside.

7. Learned counsel for the complainant concurs with the factum of compromise. He further submits that the complainant does not want to prosecute the petitioner further in the matter. He has shown no objection in case the FIR No. 0016/2022 and all subsequent proceedings in Cr. Case No. 104/2026 arising out of the impugned FIR are quashed and set-aside.

8. Further, it has been jointly submitted that the dispute between the parties is personal in nature and considering the nature of offence, which is otherwise compoundable, the parties have entered into the compromise, and the continuation of criminal proceedings against petitioner would be abuse of process of law, therefore, to secure ends of justice, FIR No. 0016/2022 and all subsequent proceedings in Cr. Case No. 104/2026 arising out of the impugned FIR be quashed, in exercise of inherent powers of this Court under Section 482 CrPC.

9. Per Contra, Learned Public Prosecutor submitted that the offence under Section 498-A IPC is not compoundable, therefore, the proceedings should not be quashed.

10. Heard learned counsel for the parties and perused the relevant material on record.

11. Hon'ble Supreme Court in the case of **Jasmair Singh Versus State of Haryana** [(2022) 9 SCC 73], while dealing with the quashment of matrimonial dispute, held that since parties buried hatchet and decided to give quietus to proceedings which were lodged inter se, hence going by law declared in **Gian Singh V. State of Punjab & Anr.** reported in [(2012)10 SCC 303] held that case was eminently suitable to be considered for exercise of jurisdiction under Section 482 CrPC for quashment of criminal proceedings.

12. The Hon'ble Supreme Court in another case of **Ramgopal Vs. The State of Madhya Pradesh** reported in [2022 (14) SCC 531] observed as follows:

"12. The High Court, therefore, having regard to the nature of the offence and the fact that parties have amicably settled their dispute and the victim has willingly consented to the nullification of criminal proceedings, can quash such proceedings in exercise of its inherent powers under Section 482 CrPC, even if the offences are non compoundable.

13. In view of the aforesaid proposition of law laid down by the Hon'ble Apex Court in the case of Gian Singh (supra) and Ramgopal (supra) and also in view of the fact that the dispute between the parties is personal in nature, the complainant does not want to prosecute the petitioner further in the matter and a compromise has been arrived at between the parties, this Court deems it just and proper to allow the present criminal misc. petition.

14. As a result, the present criminal misc. petition is allowed, FIR No. 0016/2022 registered at Police Station, Ramgarh Pachwara and all subsequent proceedings in Cr. Case No. 104/2026 arising out of the impugned FIR, pending before Judicial Magistrate, Lalsot, District Dausa are quashed and set-aside.

15. Stay application and pending application, if any, also stand disposed of.

(BHUWAN GOYAL),J