

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



S.B. Criminal Miscellaneous (Petition) No. 890/2026

1. Rahul Morya S/o Suraj Mal Morya, Aged About 29 Years,
2. Girraj Morya S/o Suraj Mal Morya, Aged About 29 Years,
Both R/o Regaro Ka Mohalla, Luniyawas, Goner Road,
Jaipur.
3. Shishupal Hathiwal S/o Permchand Hathiwal, R/o 43,
Shyam Colony, Heerapura, Luniyawas, Jaipur.

----Accused Petitioners

Versus

1. State Of Rajasthan, Through Public Prosecutor.
2. Moolchand Mourya S/o Ramnarayan, R/o Near Baba
Ramdev Mandir, Luniyabas, P.s. Kho-Nagoriyan, Jaipur.

----Respondents

For Petitioner(s)	:	Mr. Mahaveer Kalwa, Advocate with Mr. Hemant Gajraj, Advocate
For Respondent(s)	:	Mr. Pushpendra Dutt Rundla, Adv. for Mr. Prithvi Pal, Advocate Mr. Vijay Singh Yadav, Addl. GA

HON'BLE MR. JUSTICE BHUWAN GOYAL
Order

24/02/2026

1. This petition under Section 528 BNSS has been filed by the petitioners seeking to quash the entire criminal proceedings arising out of FIR No. 0640/2025 registered at Police Station, Kho Nagoriyan, Jaipur City (East) for the offence under Section 110 BNS.
2. Accused petitioners, the complainant respondent no.2 Mool Chand Maurya and the injured Krishan Maurya have appeared in person today before this Court, their signature have been obtained on the order sheet and they have been identified by their respective counsel.

3. Learned counsel for the petitioners submits that the parties do not have any animosity against each other and there was no pre-meditated fight but on account of some sudden altercations, impugned FIR came to be lodged against petitioners. He further submits that thereafter the parties have entered into a compromise and buried their hatchet in order to maintain peace and harmony in their life and to maintain cordial relations between them. The compromise duly signed by the parties and notarized by the Notary Public have been placed on record. Thus, he has prayed to quash the criminal proceedings arising out of FIR No. 0640/2025 registered at Police Station, Kho Nagoriyan, Jaipur City (East) for the offence under Section 110 BNS on the basis of compromise.

4. Learned counsel for the respondent no.2 concurs with the factum of compromise. He further submits that the complainant and victim do not want to prosecute the petitioners further in the matter. He has shown no objection in case criminal proceedings arising out of the impugned FIR No. 0640/2025 are quashed and set-aside on the basis of compromise.

5. Further, it has been jointly submitted that in view of the fact that a compromise has been arrived at between parties, the dispute between the parties is personal in nature and the continuation of criminal proceedings against petitioners would be abuse of process of law, therefore, to secure ends of justice, criminal proceedings arising out of FIR No. 0640/2025 registered at Police Station, Kho Nagoriyan, Jaipur City (East) be quashed and set-aside, in exercise of inherent powers of this Court under Section 528 BNSS.

6. Learned Addl. GA has submitted the offence under Section 110 BNS is non compoundable. He has submitted the factual report which is taken on record.

7. Heard learned counsel for the parties and considered the material available on record.

8. Hon'ble Supreme Court in case of **Gian Singh Vs.**

State of Punjab[(2012) 10 SCC 303] observed as follows:

"Quashing of offence or criminal proceedings on the ground of settlement between an offender and victim is not the same thing as compounding of offence. They are different and not interchangeable. Strictly speaking, the power of compounding of offences given to a court under Section 320 is materially different from the quashing of criminal proceedings by the High Court in exercise of its inherent jurisdiction. In compounding of offences, power of a criminal court is circumscribed by the provisions contained in Section 320 and the court is guided solely and squarely thereby while, on the other hand, the formation of opinion by the High Court for quashing a criminal offence or criminal proceeding or criminal complaint is guided by the material on record as to whether the ends of justice would justify such exercise of power although the ultimate consequence may be acquittal or dismissal of indictment."

9. Hon'ble Supreme Court in 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 Cr.P.C., even if the offences are non compoundable."

10. In view of legal proposition of law laid down by the Apex Court in aforesaid cases and considering peculiar facts and

circumstances of the present case and since both parties have amicably settled their dispute, the dispute between the parties is personal in nature and the respondent no.2 and victim have no objection if criminal proceedings arising out of FIR No. 0640/2025 are quashed as also in view of the factual report dated 22.2.2026, wherein it has been mentioned that on 16.2.2026, both the injured as well as the complainant appeared before SHO and submitted an application to the effect that since they have entered into a compromise, they do not want further proceeding in the matter, this Court deems it just and proper to prevent the abuse of process of law by quashing the criminal proceedings arising out of FIR No. 0640/2025 registered at Police Station, Kho Nagoriyan, Jaipur City (East) for the offence under Section 110 BNS and to allow the present misc. petition.

11. As a result, the present criminal miscellaneous petition is allowed and criminal proceedings arising out of FIR No. 0640/2025 registered at Police Station, Kho Nagoriyan, Jaipur City (East) as also the impugned FIR are hereby quashed and set-aside.

12. All pending application(s), if any, stand disposed of.

(BHUWAN GOYAL),J