

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 2199/2023

1. Sumitra Sharma W/o Shri Brijendra Sharma, Aged About 35 Years, R/o Plot No. 1 Shiv Vihar, Village Golyawas, Tehsil Sanganer, Jaipur.
2. Beena Sharma W/o Late Shri Surendra Sharma, Aged About 60 Years, R/o Plot No. 40, Vandana Vihar, Airport Road, Khokhawas Sanganer, Jaipur.
3. Brijendra Sharma S/o Shri Ramawatar Sharma, Aged About 38 Years, R/o Plot No. 1 Shiv Vihar, Village Golyawas, Tehsil Sanganer, Jaipur.

-----Petitioners

Versus

1. State Of Rajasthan, Through Public Prosecutor.
2. Rajesh Chaudhary S/o Shri Jagdish Prasad Chaudhary, Aged About 30 Years, R/o Plot No. 14 Kana Vyapari Ki Dhani, Ram Singh Pura, Sanganer Jaipur, Present R/o Shri Balaji Car Finance Arvali Marg, Chauraha Near Malara Stand, Mansarovar Jaipur.

-----Respondents

For Petitioner(s)	:	Mr. Krishan Chander Sharma
For Respondent(s)	:	Mr. Narendra Singh Dhakar, PP

JUSTICE ANOOP KUMAR DHAND

Order

07/05/2026

1. By way of filing the instant criminal misc. petition, a prayer has been made to quash the proceedings of Criminal Case No.03/2015 pending before the Court of Additional Chief Metropolitan Magistrate No.21, Jaipur Metropolitan, Sanganer on the basis of a compromise arrived at between the parties.
2. Counsel for the petitioners submits that a report was lodged by the complainant against the petitioners with regard to

execution of an agreement and receipt of a sum of Rs.5,00,000/-. Counsel submits that the aforesaid FIR resulted in Final Report (Negative). Thereafter, on protest petition, cognizance was taken against the petitioners vide order dated 19.12.2015, thereafter, the complainant appeared in person before the Trial Court and submitted a compromise in favour of the petitioners indicating there that the complainant has received the disputed amount i.e. Rs.5,00,000/- and he does not want to prosecute the petitioner. Counsel submits that the dispute is personal in nature. Hence, in the light of the compromise arrived at between the parties, the proceedings pending against the petitioner be quashed.

3. *Per contra*, learned Public Prosecutor opposes the prayer.

4. Considering the arguments put forward by learned counsel for the petitioners and looking to the fact that the complainant himself has submitted a compromise deed in favour of the petitioners before the Trial Court after receiving the disputed amount of Rs.5,00,000/- with the specific averment that he does not want to prosecute the petitioners and looking to the fact that the dispute is personal in nature, hence applying the principles of law as laid down by the Hon'ble Apex Court in the case of **Gian Singh Vs. State of Punjab & Anr.** reported in **(2012) 10 SCC 303** & **State of Madhya Pradesh Vs. Laxmi Narayan & Ors.**, reported in **(2019) 5 SCC 688**, this Court deems it just and appropriate to invoke inherent powers of this Court under Section 482 Cr.P.C.

5. Accordingly, the instant criminal misc. petition is allowed. The proceedings in Criminal Case No.03/2015 pending before the Court of Additional Chief Metropolitan Magistrate No.21, Jaipur



Metropolitan, Sanganer, arising out of the FIR No.70/2014 registered with Police Station Muhana, District Jaipur (East), stand quashed. The petitioners are discharged of the offences punishable under Sections 420, 406, 467, 468, 471 and 120B IPC.

6. Pending applications, if any, stand disposed of.

(ANOOP KUMAR DHAND),J