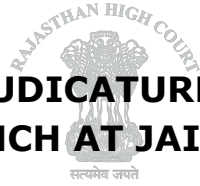


**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Criminal Miscellaneous (Petition) No. 2469/2026

Shri Arpit Kothari Son Of Shri Kailash Chand Kothari, Aged About 27 Years, Resident Of 275 Vaibhav Nagar Shastri Nagar Bhilwara (Rajasthan) Aadhar Number 8240 1709 2582.

-----Petitioner/Accused

Versus

1. State Of Rajasthan, Through P.P.
2. Shri Ajay Singh Rathore Son Of Shri Durjan Singh Rathore, Aged About 28 Years, Resident Of 21 Udit Nagar Lohagal Ajmer, Krishnaganj, Ajmer, Rajasthan- 305001, India.

-----Respondents/Complainants

For Petitioner(s)	:	Mr. Avi Arun
For Respondent(s)	:	Mr. Manvendra Singh Shekhawat, PP with Mr. Shubham Saini Mr. Tekchand Swami

HON'BLE MR. JUSTICE ANUROOP SINGHI
Order

08/05/2026

1. The present criminal miscellaneous petition has been filed by the petitioner under Section 528 of BNSS, 2023 seeking quashing of the FIR No.0003/2026 dated 16.02.2026 registered at Police Station Cyber Police Station (Ajmer), District Ajmer, for the alleged offences punishable under Sections 308(2), 318(4) and 319(2) of BNS, 2023 and 66 D of IT Act, 2008, and all consequential proceedings arising therefrom.

2. Learned counsel for the petitioner, at the very outset, submit that the FIR in question arises out of a dispute between the parties and as the parties have arrived at a compromise dated 24.03.2026, a copy of which has been annexed in the petition as Annexure-2, the FIR in question deserves to be quashed in view of

the judgments passed by the Hon'ble Supreme Court in ***Gian Singh Vs. State of Punjab & Anr.***, reported in **(2012) 10 SCC 303**, ***Narinder Singh & Ors. Vs. State of Punjab & Anr.***, reported in **(2014) 6 SCC 466** and ***State of Madhya Pradesh Vs. Laxmi Narayan & Ors.***, reported in **(2019) 5 SCC 688**.

3. Learned counsel appearing for respondent No.2- complainant while acknowledging the factum of compromise between the parties submits that the respondent No.2 - complainant has willingly arrived at the said compromise and has no objection if the FIR in question is quashed.

4. Additionally, learned counsel for the petitioner submits that in consequence to the present proceedings arising out of the impugned FIR, bank account of the petitioner has been frozen.

5. Learned Public Prosecutor has handed over the factual report submitted by the concerned Investigating Officer, wherein the factum of compromise being entered into between the parties has been confirmed and thus, he submits that in view of the compromise entered into between the parties, appropriate order be passed.

6. Heard learned counsel for the parties and perused the record.

7. In pursuance to the order dated 23.04.2026 passed by this Court, the Investigating Officer was directed to submit the status report with respect to the compromise entered into between the parties. Factual report in that regard has been received and is taken on record, wherein the Investigating Officer has confirmed the factum of compromise being entered into between the parties and has recorded that the present case is not of a cyber fraud but

of *inter se* business transactions between the parties. The antecedents of the petitioner have also been placed on record which reveals that there are no pending cases against the petitioner.

8. From the material on record, it is apparent that the dispute has amicably been settled between the parties. The Hon'ble Supreme Court in ***Gian Singh (supra)***, has authoritatively held that the High Court in exercise of its inherent powers under Section 482 Cr.P.C. can quash criminal proceedings even in respect of non-compoundable offences if the dispute is essentially of a private and personal nature and the parties have amicably settled the matter, provided that such offences do not have a serious impact on society.

The above mentioned position of law has been reiterated and has been consistently held in currency by the Hon'ble Supreme Court and Co-ordinate Benches of this Court.

9. In light of the above, this Court finds that the dispute has been amicably resolved. The complainant has no subsisting grievance against the petitioner and hence, as there is no possibility of conviction, allowing such criminal proceedings to continue would be nothing but an abuse of the process of law and thus, it would be in the interest of justice to exercise the inherent powers as vested upon this Court under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023.

10. Resultantly, this criminal miscellaneous petition is allowed and the FIR No.0003/2026 dated 16.02.2026 registered at Police Station Cyber Police Station (Ajmer), District Ajmer, and all consequential proceedings arising therefrom, are hereby quashed

and set aside and consequently, bank account of the petitioner which has been frozen on account of the impugned FIR, be de-freezed immediately.

11. Pending application(s), if any, also stand disposed of.

(ANUROOP SINGHI),J

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