

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Appeal (Sb) No. 2395/2024

1.

Shakti Singh Son Of Babu Singh, Resident Of Hotel Venus Chhoti Basti, Pushkar District Ajmer At Present Lodged In The Central Jail Ajmer
2.

Anurag Singh Alias Monty Son Of Banney Singh, Resident Of Hotel Venus Chhoti Basti, Pushkar District Ajmer At Present Lodged In The Central Jail Ajmer
3.

Himmat Singh Son Of Babu Singh, Resident Of Hotel Venus Chhoti Basti, Pushkar District Ajmer At Present Lodged In The Central Jail Ajmer

----Appellants

Versus

State Of Rajasthan, Through The Public Prosecutor

----Respondent

For Appellant(s)

:

Mr. Ashvin Garg with
Mr. Nonit Hatial &
Mr. Mohit Goyal

For Respondent(s)

:

Mr. Sudesh Kumar Saini, PP

HON'BLE MR. JUSTICE VINOD KUMAR BHARWANI

Order

24/04/2026

The present appeal under Section 415 of the B.N.S.S. has been preferred on behalf of accused-appellants against the impugned judgment dated 04.09.2024 passed by Court of learned Additional Sessions Judge (Women Atrocities Cases), Ajmer, in Sessions Case No.40/2018. By the said judgment, the accused-appellants were convicted for the alleged offence(s), and sentenced to undergo a maximum period of seven years simple imprisonment with a fine.

Learned counsel for the accused-appellants submits that during the pendency of the present appeal, both the parties have entered into an amicable settlement/compromise dated 28.07.2025. Counsel further submits that the appellant has also filed a cross-case against the complainant and since the dispute between the parties has been settled through mutual consent, continuing the trial against the appellants for the alleged offences would serve no useful purpose, as it may disrupt the compromise reached between them. Therefore, the present appeal may be allowed, the impugned judgment be quashed & set aside, and the appellants be acquitted from the charges levelled against them on the basis of compromise. In support of his contention counsel has relied upon following judgments:-

- 1. *Kailash Chand Vs. State of Rajasthan 2021 (18)SCC 534***
- 2. *Ramesh Vs. State of Rajasthan 2025 SCC Online SC 50***
- 3. *Shaik Bade Miya Vs. The State of Telangana-Special Leave to Appeal (Criminal) No.11561/2024 decided on 04.02.2025.***

Learned Public Prosecutor for the State has opposed the submissions made hereinabove.

Today, both the parties are present-in-person before this Court. They have duly been identified by this respective counsel and their signatures have also been obtained on the order-sheet of the Court.

Learned counsel for the complainant/respondent submits that he has no objection, if the impugned judgment is quashed &

set aside and the appellants are acquitted from the charges levelled against them on the basis of compromise.

Considering the submissions made at bar & the overall facts & circumstances of the case, and the fact that a compromise has been arrived at between the parties, this Court finds that it would not be appropriate to sustain the judgment of learned Trial Court and the conviction of the appellants in the alleged offences. Furthermore, in view of the compromise arrived at between the parties no useful purpose would be served in keeping the criminal proceedings pending.

As per the compromise dated 28.07.2025, the parties are no longer interested in prosecuting the appellant & do not wish to proceed further in the matter. The compromise in this regard has also been executed by the parties.

Thus, in view of the compromise arrived at between the parties, this Court finds that it would be unfair and contrary to the interest of justice to continue the criminal proceedings. Continuation of the proceedings, inspite of the settlement & compromise between the complainant/respondent and the accused would amount to an abuse of the process of law. In view thereof and in order to secure the ends of justice, it would be appropriate to acquit the appellant from the charges.

Accordingly, the appeal is, hereby, disposed of on the basis of compromise. The impugned judgment dated 04.09.2024 passed by Court of learned Additional Sessions Judge (Women Atrocities Cases), Ajmer, in Sessions Case No.40/2018 is hereby quashed & set aside.

The accused/appellants are acquitted from the charges levelled against them. The appellants are not in custody, as their sentence have already been suspended by the Co-ordinate Bench of this Court vide its order dated 24.10.2024 & 03.12.2024 by the Co-ordinate Bench of this Court. Their bail bonds stand discharged.

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

(VINOD KUMAR BHARWANI),J