

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN,

JAIPUR BENCH, JAIPUR.

JUDGMENT

Subhash & Ors. Vs. State of Rajasthan & Anr.

(S.B. Criminal Misc. Petition No.1173/2009)

S.B. Criminal Misc. Petition Under Section 482 Cr.P.C.

Date of Judgment: November 10, 2010

PRESENT

HON'BLE MR. JUSTICE R.S. CHAUHAN

Mr.Vijay Yadav, for the petitioners.

Mr.Javed Chaudhary, Public Prosecutor.

Mr.Sunil Kr. Yadav, for the complainant.

BY THE COURT:

Mr. Subhash, the petitioner No.1 and Smt. Taramani, the respondent No.2, are present before this Court. They have been identified by their respective counsel. A compromise has been submitted by Mr. Subhash and Smt. Taramani wherein Smt. Taramani has clearly stated that she does not wish to pursue the criminal proceeding pending against Mr. Subhash for offences under Sections 498A and 406 IPC, and under Section 4 of the Dowry Prohibition Act. This petition has been filed for compounding the offences mentioned hereinabove on the ground that the learned trial court has refused to compound the said offences. Considering the fact that both the husband and the wife have entered into a compromise, considering the fact that the wife does not wish to pursue the criminal proceeding against the husband, considering the fact that in catana of cases the Hon'ble Supreme Court has held that in the cases of matrimonial dispute, and in offence arising therefrom, offences under Sections 406 and 498A should be compounded, this Court compounds the offences mentioned above and directs that the criminal proceeding pending before the Civil Judge (Junior Division) and Judicial Magistrate, First Class, Laxmangarh, District Sikar in case No.218/2007 be quashed and set aside. With these observations, this petition is, hereby, allowed.

(R.S. CHAUHAN) J.

Manoj solank