

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. M.P. No. 694 of 2011

Jitendra Kumar, son of Shri Manan Prasad, resident of Indrapuri – Rath Road,
P.O. Hehal, P.S. Sukhdeonagar, District Ranchi **Petitioner**

Versus

1. The State of Jharkhand
2. Lapat Bhajanka, son of Shri Kishori Lal Bhajanka, resident of 802, Amrat
Kunj, Bhatar Road, Surat, P.O. & P.S. Surat, District Surat (Gujarat)

... ... **Opp. Parties**

With

Cr. M.P. No. 815 of 2011

Prabhat Kumar Pandey, son of late Dr. Praduman Pandey, resident of Tagore
Hill Road, P.O. Morabadi, Police Station Bariatu, Town & District Ranchi

... ... **Petitioner**

Versus

1. The State of Jharkhand
2. Lapat Bhajanka, son of Shri Kishori Lal Bhajanka, resident of 802, Amrat
Kunj, Bhatar Road, Surat, P.O. & P.S. Surat, District Surat (Gujarat)

... ... **Opp. Parties**

With

Cr. M.P. No. 1272 of 2011

Ashok Kejriwal, S/o Shri Satyanarayan Kejriwal, R/o 105, J. K. Tower, Ring
Road, P.O. Sagrampura, Police Station Khatodra, District Surat, Pin – 395 002
(Gujarat) **Petitioner**

Versus

1. The State of Jharkhand
2. Lapat Bhajanka, son of Shri Kishori Lal Bhajanka, resident of 802, Amrat
Kunj, Bhatar Road, Surat, P.O. & P.S. Surat, District Surat (Gujarat)

... ... **Opp. Parties**

With

Cr. M.P. No. 54 of 2012

1. Pawan Kejriwal, son of Satyanarayan Kejriwal, resident of Aryapuri, Police
Station Sukhdeonagar, P.O. Hehal, District Ranchi
2. Uday Shankar Ojha, son of Basudeo Ojha, resident of Hehal, Ratu Road,
P.O. Hesal, Police Station Sukhdeonagar, District Ranchi
3. Govind Ojha, son of late Bhabilchan Ojha, resident of Madhukam, Road No.
5, P.O. Hehal, Police Station Sukhdeonagar, District Ranchi

... ... **Petitioners**

Versus

1. The State of Jharkhand

2. Lapat Bhajanka, son of Shri Kishori Lal Bhajanka, resident of 802, Amrat Kunj, Bhatar Road, Surat, P.O. & P.S. Surat, District Surat (Gujarat) Opp. Parties

CORAM: HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner(s)	: Mr. Indrajit Sinha, Advocate
	: Mr. Rajeev Kumar Sinha, Advocate
	: Ms. Prerna Jhunjhunwala, Advocate
For the Resp.-State	: Mr. P. D. Agrawal, Spl. P.P. (In Cr. M.P. Nos. 815/2011 & 54/2012)
	: Mr. Shiv Shankar Kumar, APP (In Cr. M.P. No. 1272/2011)

34/16th February 2024

1. Learned counsel for the parties are present.
2. All these cases arise out of FIR No. 344/2011, Police Station Kotwali, Sukhdeonagar, Ranchi, G.R. No. 1921/2011 for alleged offence under Sections 384, 387, 388, 389, 465, 467, 468, 471, 218, 219, 220, 506(2), 193, 195, 196, 199, 209 and 211 of the Indian Penal Code.
3. The parties were in litigating terms and there were case and counter-case between the parties. The matter was sent for mediation by an order of this Court and the mediation report has come indicating that they have settled the matter in terms thereof and different cases were to be withdrawn. Pursuant thereto, in all the cases joint compromise petition has been filed and one joint compromise petition being I.A. No. 1650 of 2024 in Cr. M.P. No. 1272 of 2011 has been presented before this Court today which is taken on record. The other interlocutory applications by way of joint compromise in the connected cases are I.A. No. 11580 of 2023 in Cr. M.P. No. 694 of 2011; I.A. No. 11579 of 2023 in Cr. M.P. No. 815 of 2011 and I.A. No. 11586 of 2023 in Cr. M. P. No. 54 of 2012.
4. One interlocutory application being I.A. No. 11643 of 2023 has been filed in Cr. M.P. No. 54 of 2012 for deleting the name of Shri Uday Shankar Ojha by stating that he has expired during the pendency of this case.
5. Learned counsel for the parties have submitted that the criminal case before the learned court is at the stage of discharge and in the meantime, the parties have entered into joint compromise and joint compromise petitions have been filed in the present cases. They have submitted that the dispute arising out of the criminal case is essentially in the realm of private dispute between the

parties and considering the fact that the parties have settled their scores, no useful purpose will be served by further proceedings in the criminal case and appropriate order be passed under Section 482 of Cr.P.C. so that the entire criminal proceeding arising out of the aforesaid F.I.R. is quashed by this Court.

6. The learned counsel for the petitioners has submitted that the opposite party No. 2 have also acted upon the joint compromise petition entered into between the parties and consequently, Cr. M.P. No. 4022 of 2022 filed by the present opposite party No. 2 has been allowed by this Court and the order dated 26.03.2018 passed by the learned SDJM, Ranchi in connection with Complaint Case No. 1467 of 2012 has been quashed and set-aside.

7. The learned counsels have jointly referred to the judgment passed by the Hon'ble Supreme Court in the case of *Narendra Singh & Others vs. State of Punjab* reported in **2014 (3) East Cr. C 19 (SC)**, paragraph Nos. 31, 34 and 35. The learned counsels have submitted that the parties have voluntarily entered into joint compromise and therefore appropriate orders be passed.

8. Learned counsel for the State has no objection to the joint compromise between the petitioners and the opposite party No. 2. In all the cases, the Opposite party No. 2 is the informant of the case.

9. After hearing the learned counsel for the parties and considering the facts and circumstances of this case, this Court finds that the parties are no longer willing to proceed with the criminal case involved in the present case and have entered into joint compromise. It appears that the dispute between the parties is in the realm of private dispute and has a civil flavour.

10. This Court also finds that there is no legal impediment in quashing the entire criminal proceedings in exercise of powers under Section 482 of Cr.P.C. to secure ends of justice once both the parties have entered into joint compromise. Further, there is no likelihood of any conviction in the criminal case as they have already entered into joint compromise. Because of the compromise between the parties, the possibility of conviction is remote and weak and continuation of criminal case would be of no use and for the ends of justice and in exercise of power under Section 482 of Cr.P.C., the entire criminal proceedings arising out of Kotwali P.S. Case No. 344/2011 corresponding to G.R. No. 1921/2011 is hereby quashed and set-aside.

11. All the aforesaid interlocutory applications for joint compromise being I.A. No. 1650 of 2024 in Cr. M.P. No. 1272 of 2011; I.A. No. 11580 of 2023 in

Cr. M.P. No. 694 of 2011; I.A. No. 11579 of 2023 in Cr. M.P. No. 815 of 2011
and I.A. No. 11586 of 2023 in Cr. M. P. No. 54 of 2012 are allowed.

12. So far as I.A. No. 11643 of 2023 in Cr. M.P. No. 54 of 2012 for deleting the name of Shri Uday Shankar Ojha is concerned, the same is also allowed.

13. Accordingly, these petitions are disposed of.

14. Pending I.A., if any, is closed.

15. Let a copy of this order be communicated to the learned court below through ‘FAX/e-mail’.

(Anubha Rawat Choudhary, J.)

Mukul