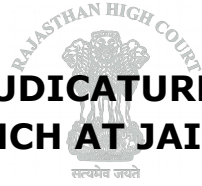




**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Criminal Writ Petition No. 1358/2024

1. Mrs. Astha Gupta Wife Of Mr. Akhil Bhiwal, Daughter Of Mr. Ashok Kumar Gupta, Aged About 34 Years, Resident Of G-702, Jewel Of India Apartment, J.l.n. Marg, Opposite Rajasthan Hospital, Indra Nagar, Basant Vihar, Bajaj Nagar, Jaipur (Rajasthan)
2. Mr. Ashok Kumar Gupta, Son Of Late Shri Narain Gupta, Aged About 62 Years, Resident Of G-702, Jewel Of India Apartment, J.l.n. Marg, Opposite Rajasthan Hospital, Indra Nagar, Basant Vihar, Bajaj Nagar, Jaipur (Rajasthan)
3. Mrs. Savita Gupta, Wife Of Mr. Ashok Kumar Gupta, Aged About 61 Years, Resident Of G-702, Jewel Of India Apartment, J.l.n. Marg, Opposite Rajasthan Hospital, Indra Nagar, Basant Vihar, Bajaj Nagar, Jaipur (Rajasthan)
4. Mr. Arpit Gupta, Son Of Mr. Ashok Kumar Gupta, Aged About 36 Years, Resident Of G-702, Jewel Of India Apartment, J.l.n. Marg, Opposite Rajasthan Hospital, Indra Nagar, Basant Vihar, Bajaj Nagar, Jaipur (Rajasthan) Presently Residing At A1 Meena Tower, Mina Road, A1 Zaziyah, B351, A1 Mina Tower, Abu Dhabi, A1 Mina, United Arab Emirates
5. Mrs. Neha Gupta, Wife Of Mr. Arpit Gupta, Aged About 37 Years, Resident Of G-702, Jewel Of India Apartment, J.l.n. Marg, Opposite Rajasthan Hospital, Indra Nagar, Basant Vihar, Bajaj Nagar, Jaipur (Rajasthan) Presently Residing At A1 Meena Tower, Mina Road, A1 Zaziyah, B351, A1 Mina Tower, Abu Dhabi, A1 Mina, United Arab Emirates
6. Mr. Deepak Gupta, Son Of Late Shri Narain Gupta, Aged About 60 Years, Resident Of Balaji Nagar, Jaipur, Currently Residing At B-52, Jai Jawan Colony, Jln Marg, Jaipur (Rajasthan)

----Petitioners

Versus

1. State Of Rajasthan, Through Public Prosecutor
2. State Of Karnataka, Through Its Public Prosecutor, Bommanahalli Police Station, Micro-Layout Sub-Division, Bengaluru City, Karnataka
3. Akhil Bhiwal, Son Of Rajendra Prasad Bhiwal, Aged About 34 Years, Resident Of 204, Salarpuria Greenage Apartments, Hosur Road, Bommanahalli, P.s. Bommanahalli, Bangalore, Karnataka- 560068

----Respondents

Connected With

S.B. Criminal Miscellaneous (Petition) No. 5632/2023

Akhil Bhiwal S/o Sh. Rajendra Prasad Bhiwal, R/o M.n. 78, Jawahar Ganj, Ward No. 10, Lalsot, Dausa, Rajasthan. Presently



Residing At Ab-204, Salarpuria Greenage Apartment , Hosur Road, Bommanahalli, Bengaluru 560068.

-----Petitioner

Versus

1. State Of Rajasthan, Through P.p.
2. Astha Gupta D/o Sh. Ashok Kumar Gupta, R/o G 702, Jewel Of India, Jln Marg, Indira Nagar, Jaipur, Rajasthan.

-----Respondents

For Petitioner(s) : Mr. Satyam Khandelwal
For State : Mr. S. S. Mehla, PP
For Complainant : Mr. Mohit Khandelwal with
Mr. Vaibhav Jaswani

HON'BLE MR. JUSTICE SAMEER JAIN
Order

08/07/2024

1. The instant connected petitions are filed under the following provisions: **S. B. Criminal Writ Petition No. 1358/2024** titled as Mrs. Astha Gupta & Ors. Vs. State & Ors. under Article 226 of the Constitution of India read with Rule 315 (1) (H), with a prayer to quash the FIR No. 164/2024 registered at Police Station Bommanahalli, Micro-Layout Sub-Division, Bengaluru City (Karnataka) for offences under Sections 323, 339, 384, 386, 351, 120B, 504, 506 and 34 of IPC and **S.B. Criminal Miscellaneous (Petition) No. 5632/2023** titled as **Akhil Bhiwal Vs. State & Anr.** under Section 482 Cr. P.C. with a prayer to quash the FIR No. 180/2023 registered at Police Station Mahila Thana (Jaipur City East) District Jaipur (East) for offences under Sections 498A, 406, 377 and 323 of IPC, on the basis of compromise effectuated between the parties herein, in respect of their *inter se* dispute.

2. At the outset, learned counsel for the petitioners has submitted that in the instant matters, the controversy arose soon



after solemnization of marriage. Thereafter, the instant impugned FIRs were lodged in Jaipur. It is submitted that the parties to bring a quietus to the said dispute, have effectuated a compromise cum settlement deed (Annexure-3).

3. Learned counsel for both the parties in one voice have submitted that both the parties are residents of Jaipur and the respondent/husband as on date is working in a private company in Bengaluru. Hence, one FIR is lodged in the said territorial jurisdiction.

4. Learned counsel in this regard has placed reliance upon the ratio encapsulated in **Navinchandra N. Majithia Vs. State of Maharashtra & Ors.: (2000) 7 SCC 640**, while placing reliance, it is submitted that the cause of action qua the criminal matters, is a question of fact and it cannot be limited to a specific place only. Therefore, even if one of the impugned FIR is registered out of the territorial jurisdiction of this Court the same can be quashed by this Court, as the compromise has been effectuated within the jurisdiction of this Court (Jaipur) and even the parties are permanent residents of Jaipur.

5. Heard and considered.

6. In light of the aforementioned facts and circumstances, considering the nature of dispute and the contentions levelled by the learned counsel for the parties, this Court deems it appropriate to place reliance upon the dictum of the Hon'ble Apex Court enunciated in **Jasmair Singh Vs. State of Haryana [(2022) 9 SCC 73]** and **Gian Singh Vs. State of Punjab [(2012) 10 SCC 303]**, wherein, it was held that a case is eminently suitable to be considered for exercise of jurisdiction



under Section 482 Cr.PC for quashing of criminal proceedings, if the parties have buried the hatchet and have decided to give quietus to the proceedings, which were lodged *inter se* against one another.

7. In view of the said legal position, laid down by the Hon'ble Apex Court in aforementioned cases, and considering the fact that the dispute *inter se* between the parties and has amicably been settled between/by the parties, this Court deems it appropriate to allow the present misc. Petition. The compromise is taken on record.

8. Considering the aforementioned, the present petitions are allowed and the FIR No. 164/2024 registered at Police Station Bommanahalli, Micro-Layout Sub-Division, Bengaluru City (Karnataka) and FIR No. 180/2023 registered at Police Station Mahila Thana (Jaipur City East) District Jaipur (East), with all consequential proceedings, are hereby quashed and set aside.

9. Accordingly, the instant petitions are allowed. Pending application(s), if any, stand disposed of.

10. A copy of this order be sent to the concerned Courts to put to end to the litigation, in light of the instant judgment. Parties are also at liberty to submit a copy of this order in the respective courts.

(SAMEER JAIN),J

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