

(2023) 05 SHI CK 0041
In the High Court Of Himachal Pradesh
Case No : CR.MMO No. 324 Of 2023

Bharat Singh And Ors

APPELLANT

Vs

State Of H.P. And Anr

RESPONDENT

Date of Decision : 11-05-2023

Acts Referred:

Indian Penal Code, 1860 — Section 34, 323, 325, 341, 504, 506

Citation : (2023) 05 SHI CK 0041

Hon'ble Judges : Satyen Vaidya, J

Bench : Single Bench

Advocate : Kiran Dhiman, Raj Kumar Negi

Final Decision : Allowed

Judgement

Satyen Vaidya, J

1. By way of this petition, a prayer has been made for quashing of FIR No. 307/2020, dated 15.08.2020, registered at Police Station Sundernagar, District Mandi, H.P., under Sections 341, 323, 325, 504, 506 read with Section 34 of the Indian Penal Code and consequent criminal proceedings arising therefrom, on the ground that the parties have compromised the matter.

2. It is averred in the petition that on 29.03.2023 compromise has been arrived at between the parties. After such compromise all disputes inter se them have been resolved and they have decided to live in peace in future.

3. Petitioners No. 3 and 4 are complainant and victim respectively are present in the Court today. Their statements have been recorded on oath. In their statements, they have specifically stated that they and petitioners No. 1 and 2 (accused) belonged to the same family. The dispute had arisen as a result of serious misunderstanding. Since, they belong to the same family, they wanted to put an end to all disputes with intention to live in peace and harmony in future and for this purpose alone the compromise has been effected. Now, the matter stands compromised and in view of such compromise, they do not intend to

further prosecute the petitioners No. 1 and 2. They have also verified the contents of compromise, Annexure P-2 and have identified their signatures thereon.

4. Perusal of FIR No. 307/2020 reveals that on the basis of allegations contained therein a case under Sections 341, 323, 325, 504, 506 read with Section 34 of the Indian Penal Code was registered against petitioners. The allegations contained therein had overtones of serious misunderstanding. Now, better sense has prevailed upon parties and they have settled all their pending disputes. As a necessary consequence, the dispute arising out of the aforesaid FIR has also been compromised. Parties are closely related to each other. Since, they have now decided to live in peace, it will be in the interest of justice to allow the prayer made in the petition so as to enable them to have harmonious relations in future, which otherwise is also the ultimate object of every civilized society.

5. In light of above discussion, the instant petition is allowed. FIR No. 307/2020, dated 15. 08.2020, registered at Police Station Sundernagar, District Mandi, H.P., under Sections 341, 323, 325, 504, 506 read with Section 34 of the Indian Penal Code and consequent criminal proceedings, are ordered to be quashed.

6. Pending miscellaneous application(s), if any, shall also stand disposed of.