

(2022) 03 SHI CK 0068

In the High Court Of Himachal Pradesh

Case No : Criminal Miscellaneous Petition (Main) No. 681 Of 2021

Deepak Raj Bhatia

APPELLANT

Vs

State Of H.P And Others

RESPONDENT

Date of Decision : 21-03-2022

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 363, 366, 376
Protection Of Children From Sexual Offences Act, 2012 — Section 4

Citation : (2022) 03 SHI CK 0068

Hon'ble Judges : Ajay Mohan Goel, J

Bench : Single Bench

Advocate : Yashpal, Adarsh Sharma, Sumesh Raj, Sanjeev Sood, Devender Kumar

Final Decision : Allowed

Judgement

Ajay Mohan Goel, J

1. By way of this petition filed under Section 482 of the Code of Criminal Procedure, a prayer has been made by the petitioner, for quashing of FIR No. 267, dated 10.09.2018, registered under Sections 363, 366, 376 of Indian Penal Code and Section 4 of POCSO Act, 2012 at Police Station Nurpur, District Kangra, H.P..
2. I have heard learned counsel for the petitioner as well as learned counsel for respondent No.2 and learned Additional Advocate General representing the State.
3. Learned counsel for the petitioner has informed the Court that the issue which led to the registration of the said FIR now stands amicably settled between the complainant and the petitioner/accused.
4. It is in this background, that the petitioner has filed the present petition, praying therein for quashing of the FIR.

5. The petitioner/complainant has no objection, in case, this petition is allowed, as prayed for, and the FIR which stood filed by him is ordered to be quashed and set aside in the interest of justice. His statement to this effect also stands recorded.

6. Learned Additional Advocate General, submits that taking into consideration the peculiar facts of this case, the State has no objection in case, the petition is allowed and FIR in issue is quashed and set aside.

7. Accordingly, in view of the above, this petition is allowed and FIR No. 267, dated 10.09.2018, registered under Sections 363, 366, 376 of Indian Penal Code and Section 4 of POCSO Act, 2012 at Police Station Nurpur, District Kangra, H.P., is quashed and set aside. Petition stands disposed of, so also pending miscellaneous application, if any.