
(2022) 09 SHI CK 0084

In the High Court Of Himachal Pradesh

Case No : Criminal Miscellaneous Petition (Main) No. 855 Of 2022

Desh Raj

APPELLANT

Vs

State Of Himachal Pradesh And Others

RESPONDENT

Date of Decision : 27-09-2022

Acts Referred:

Citation : (2022) 09 SHI CK 0084

Hon'ble Judges : Satyen Vaidya, J

Bench : Single Bench

Advocate : Shubham Sood, Mohar Singh, Narender Thakur, Rahul Gathania, Sonia Saini

Final Decision : Disposed Of

Judgement

Satyen Vaidya, J

1. By way of instant petition, a prayer has been made to quash FIR and subsequent proceedings. It is averred in the application that FIR No. 25 of 2018 dated 12.2.2018 was registered at Police Station, Bhaldhwara, District Mandi, H.P. at the instance of respondent No.2 as the result of misunderstanding. In fact, the petitioner had also lodged an FIR against respondent No.2 vide FIR No. 26 of 2018 dated 13.2.2018, registered at Police Station, Hatli. Both the FIRs are stated to be result of misunderstanding between the parties. It is further submitted that all disputes inter-se the parties have been settled and they have entered into a compromise, terms of which have been reduced into writing and placed on record as Annexure P-2. In view of the compromise, the parties intend to live in peace and also want to put an end to all their past litigations.

2. Petitioner and respondent No.2 are present in person. Their statements have been recorded separately. Both of them have stated that they have compromised the matter, terms of compromise have been placed on record as Annexure P-2. The petitioner and respondent No.2 have separately undertaken to abide by the terms of compromise. It has also been stated that the matter arising out of FIR

No. 26 of 2018 dated 13.2.2018, registered at Police Station, Hatli has already been compromised and has been compounded before Gram Panchayat Dhalwan on 29.8.2022.

3. I have gone through the contents of Annexure P-2 and have found the terms of compromise to be in accordance with law, hence, there is no legal impediment in granting the prayer of the petitioner.

4. The petitioner and respondent No.2, who had filed cross cases against each other have categorically submitted that the matters were reported to the police under the heat of moment. Both were under misconception of fact, which later came to be sorted with the intervention of common friends and family members. Now, they have decided to live in peace. The endeavour of the parties to live in peace appears to be bona-fide. The injuries suffered by either of the parties were personal to them and by allowing the matter to be settled by way of compromise, the interest of society at large is not going to be affected adversely, rather it will be in the interest of justice to promote harmony in the society.

5. Accordingly, the petition is allowed and FIR No. 25 of 2018 dated 12.2.2018, registered at Police Station, Bhaldhwara, District Mandi, H.P. and consequent criminal proceedings pending before the learned ACJM, Court No.1, Sarkaghat, District Mandi, H.P. are ordered to be quashed. The petition stands disposed of. Pending applications, if any, also stand disposed of.