

(2021) 07 SHI CK 0215
In the High Court Of Himachal Pradesh
Case No : CRMMO No. 289 Of 2021

Layak Ram And Others

APPELLANT

Vs

State Of Himachal Pradesh And Another

RESPONDENT

Date of Decision : 22-07-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482

Indian Penal Code, 1860 — Section 147, 149, 323, 354, 504, 506, 509

Citation : (2021) 07 SHI CK 0215

Hon'ble Judges : Ajay Mohan Goel, J

Bench : Single Bench

Advocate : Deepak Kaushal, Layak Ram, Mahender Singh, Santosh, Anil Sharma, Binta Devi, Rajendra Sharma, Asha Devi, Vikas Sharma, Randeep Kaur, Sumesh Raj, Adarsh Sharma, Sanjeev Sood, J.S. Guleria

Final Decision : Disposed Of

Judgement

Ajay Mohan Goel, J

1. By way of this petition filed under Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No. 35 of 2018,

dated 14.12.2018, registered under Sections 504, 506, 509, 323, 354 and 147 read with Section 149 of the Indian Penal Code, at Women Police Station

Nahan, District Sirmaur, H.P. as well as consequential criminal proceedings, pending in the Court of learned Judicial Magistrate 1st Class, Nahan,

District Sirmaur, H.P.

2. I have heard learned Counsel for the parties including learned Additional Advocate General and gone through the averments as also record

appended with the petition.

3. Respondent No. 2, Ms. Suman, who is present in person in the Court, has

been duly identified by her Counsel Mr. Gaurav Gautam, Advocate. Her statement has also been independently recorded in the Court, wherein she has stated that she has entered into a compromise with the petitioners/accused and she is not interested in pursuing the matter, which led to registration of FIR No. 35 of 2018, dated 14.12.2018, under Sections 504, 506, 509, 323, 354 and 147 read with Section 149 of the Indian Penal Code, at Women Police Station Nahan, District Sirmaur, H.P. as well as consequential criminal proceedings, pending in the Court of learned Judicial Magistrate 1st Class, Nahan, District Sirmaur, H.P. A copy of the compromise so arrived at between the parties is appended with the petition as annexure P-2 and execution of the same as also the contents thereof have also been acknowledged by respondent No. 2.

4. Learned Additional Advocate General has also very fairly submitted that the respondent-State has no objection in case petition is allowed and FIR in issue as well as consequential criminal proceedings, if any, pending trial, are quashed and set aside.

5. Accordingly, in view of above, this petition is allowed and FIR No. 35 of 2018, dated 14.12.2018, registered under Sections 504, 506, 509, 323, 354

and 147 read with Section 149 of the Indian Penal Code, at Women Police Station Nahan, District Sirmaur, H.P. as well as consequential criminal

proceedings pending in the Court of learned Judicial Magistrate 1st Class, Nahan, District Sirmaur, H.P. are quashed and set aside, taking into

consideration the compromise entered between the complainant i.e. respondent No. 2 and accused i.e. present petitioners and statement to this effect,

made by respondent No. 2 in the Court. The compromise deed Annexure P-2 as well as statement of the complainant made today in the Court, shall

form part of the judgment.

Petition is accordingly disposed of in above terms, so also pending miscellaneous application(s), if any.