

(2022) 05 SHI CK 0053

In the High Court Of Himachal Pradesh

Case No : Criminal Miscellaneous Petition (Main) No. 360 Of 2022

Maan Dutt

APPELLANT

Vs

State Of Himachal Pradesh And Others

RESPONDENT

Date of Decision : 18-05-2022

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 323, 498A

Citation : (2022) 05 SHI CK 0053

Hon'ble Judges : Ajay Mohan Goel, J

Bench : Single Bench

Advocate : Mohar Singh, Dinesh Thakur, Sumesh Raj, Sanjeev Sood, Manoj Bagga, Suresh Saini

Final Decision : Disposed Of

Judgement

Ajay Mohan Goel, J

1. Mr. Suresh Saini, Advocate has put in appearance on behalf of respondent No.2.

By way of this petition filed under Section 482 of the Code of Criminal Procedure, the petitioner has prayed for quashing of FIR No.0037 of 2020, dated 02.11.2020, registered under Sections 498-A and 323 of the Indian Penal Code, at Women Police Station Solan, District Solan, 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.

3. Respondent No.2 (Smt. Sunita Devi), who is present in Court, has been duly identified by her counsel Mr.Suresh Saini, Advocate. Her statement has also been independently recorded in the Court, wherein she has stated that she has entered into a compromise with the petitioner/accused and she is not interested in pursuing the matter which led to registration of FIR No.0037 of 2020, dated 02.11.2020, registered under Sections 498-A and 323 of the Indian Penal Code,

at Women Police Station Solan, District Solan, H.P. A copy of the Compromise Deed 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 this petition is allowed and FIR in issue is quashed and set aside.

5. Accordingly, in view of above, this petition is allowed and FIR No.0037 of 2020, dated 02.11.2020, registered under Sections 498-A and 323 of the Indian Penal Code, at Women Police Station Solan, District Solan, H.P., as well as ensuing criminal proceedings pending adjudication before the Court of learned Judicial Magistrate, 1st Class, Court No.2, Solan, District Solan, H.P., arising out of FIR No.0037 of 2020, against the petitioner, are quashed and set aside, taking into consideration the compromise entered between the complainant, i.e. respondent No.2 and petitioner/accused and statement to this effect, made by respondent No.2 in this 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. Miscellaneous applications, if any, also stand disposed of.