

(2021) 07 SHI CK 0226
In the High Court Of Himachal Pradesh
Case No : CR.MMO No. 237 Of 2021

Mukesh Kumar

APPELLANT

Vs

State Of H.P. & Another

RESPONDENT

Date of Decision : 26-07-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 354A, 354D, 506, 509

Citation : (2021) 07 SHI CK 0226

Hon'ble Judges : Ajay Mohan Goel, J

Bench : Single Bench

Advocate : Rajesh Prakash, Sahil Khunger, Adarsh Sharma, Sumesh Raj,
Sanjeev Sood, Kamal Kant Chandel, Vipin Pandit

Final Decision : Allowed

Judgement

Ajay Mohan Goel, J

1. Mr. Vipin Pandit, 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.0028 of 2019,

dated 16.06.2019, registered under Sections 354-A, 354-D, 506 and 509 of the Indian Penal Code, at Police Station Ramshehar, Police District Baddi,

District Solan, H.P.,

2. I have heard learned counsel for the petitioners as well as learned counsel for respondent No.2 and learned Additional Advocate General.

3. Respondent No.2 (Priya Devi), who is present in Court, has been duly identified by his counsel Mr.Vipin Pandit, 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.0028 of 2019, dated 16.06.2019, registered under Sections 354-A, 354-D, 506 and

509 of the Indian Penal Code, at Police Station Ramshehar, Police District Baddi, 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 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.0028 of 2019, dated 16.06.2019, registered under Sections 354-A, 354-D, 506 and

509 of the Indian Penal Code, at Police Station Ramshehar, Police District Baddi, District Solan, H.P., as well as ensuring criminal proceedings against

the petitioner, are quashed and set aside, taking into consideration the compromise entered between the complainant i.e. respondent No.2 and 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. Miscellaneously applications, if any, also stand disposed of.