

(2022) 06 SHI CK 0074

In the High Court Of Himachal Pradesh

Case No : Criminal Miscellaneous Petition (Main) No. 487 Of 2021

Om Prakash

APPELLANT

Vs

State Of Himachal Pradesh And Others

RESPONDENT

Date of Decision : 24-06-2022

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 332, 353, 355, 504, 506

Citation : (2022) 06 SHI CK 0074

Hon'ble Judges : Ajay Mohan Goel, J

Bench : Single Bench

Advocate : Rohit, Dinesh Thakur, Sanjeev Sood, Manoj Bagga, Amit Jamwal, Sat Prakash

Final Decision : Disposed Of

Judgement

Ajay Mohan Goel, J

1. Mr. Amit Jamwal, Advocate, vice Mr. Sat Prakash, Advocate has put in appearance on behalf of respondent No.4.

By way of this petition, filed under Section 482 of the Code of Criminal Procedure, the petitioner has prayed for quashing of FIR No.188 of 2019, dated 06.09.2019, registered under Sections 353, 355, 332, 504 and 506 of the Indian Penal Code at Police Station Sadar, District Shimla, H.P.

2. I have heard learned counsel for the petitioner as well as learned counsel for respondent No.4 and learned Additional Advocate General.

3. Respondent No.4 (Suresh Kumar), who is present in Court, has been duly identified by his counsel Mr. Amit Jamwal, Advocate, vice Mr. Sat Prakash, Advocate. His statement has also been independently recorded in the Court, wherein he has stated that he has entered into a compromise with the petitioner/accused and he is not interested in pursuing the matter which led to registration of FIR No.188 of 2019, dated 06.09.2019, registered under Sections 353, 355,

332, 504 and 506 of the Indian Penal Code at Police Station Sadar, District Shimla, 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.4.

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.188 of 2019, dated 06.09.2019, registered under Sections 353, 355, 332, 504 and 506 of the Indian Penal Code at Police Station Sadar, District Shimla, H.P., as well as ensuing criminal proceedings, arising out of FIR No.188 of 2019 against the petitioner, are quashed and set aside, taking into consideration the compromise entered between the complainant i.e. respondent No.4 and accused and statement to this effect, made by respondent No.4 in this Court. The Compromise 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.