
(2022) 05 SHI CK 0094

In the High Court Of Himachal Pradesh

Case No : Criminal Miscellaneous Petition (Main) No. 208 Of 2022

Pushpinder Thakur And Others

APPELLANT

Vs

State Of Himachal Pradesh And Others

RESPONDENT

Date of Decision : 30-05-2022

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 34, 406, 498A

Citation : (2022) 05 SHI CK 0094

Hon'ble Judges : Ajay Mohan Goel, J

Bench : Single Bench

Advocate : Sunny Modgil, Sumesh Raj, Dinesh Thakur, Sanjeev Sood, Amit Kumar Dhumal, Manoj Bagga, Ajay Sharma, Atharv

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. 177 of 2013, dated 21.12.2013, registered under Sections 498-A and 406, read with Section 34 of the Indian Penal Code, at Police Station Garret, District Una, H.P. as well as ensuing criminal proceedings pending in the Court of learned JMFC, Court No. 1, Amb, District Una, 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, who is present in person in the Court, has been duly identified by her Counsel Mr. Ajay Thakur, 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 as the issue which led to registration of the FIR in question has been amicably settled between them. She has further stated that she is not interested in pursuing further the FIR No. 177

of 2013, dated 21.12.2013, registered under Sections 498-A and 406, read with Section 34 of the Indian Penal Code, at Police Station Garret, District Una, H.P. as well as ensuing criminal proceedings pending in the Court of learned JMFC, Court No. 1, Amb, District Una, H.P. A copy of 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. She has also acknowledged her signatures on Compromise Deed Annexure P/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 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. 177 of 2013, dated 21.12.2013, registered under Sections 498-A and 406, read with Section 34 of the Indian Penal Code, at Police Station Garret, District Una, H.P. as well as ensuing criminal proceedings pending in the Court of learned JMFC, Court No. 1, Amb, District Una, H.P. are ordered to be quashed and set aside, taking into consideration the compromise entered between the complainant i.e. respondent No. 2 and the accused i.e. present petitioners and statement to this effect, made by respondent No. 2, namely, Ms. Anita Thakur, in the Court, which shall form part of the judgment.

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