

(2022) 12 SHI CK 0015
In the High Court Of Himachal Pradesh
Case No : CR.MMO No. 1032 Of 2022

Sukhbir Singh And Ors

APPELLANT

Vs

State Of H.P. And Anr

RESPONDENT

Date of Decision : 08-12-2022

Acts Referred:

Indian Penal Code, 1860 — Section 120B, 380, 452, 506

Citation : (2022) 12 SHI CK 0015

Hon'ble Judges : Satyen Vaidya, J

Bench : Single Bench

Advocate : Manohar Lal Sharma, Desh Raj Thakur, Narender Thakur, Rajesh Verma

Final Decision : Allowed

Judgement

Satyen Vaidya, J

1. The petition has been filed for quashing of FIR No. 0136, dated 18.08.2022, registered at Police Station Dharampur, District Solan, H.P., under Sections 452, 380, 506 and 120-B of IPC and consequent criminal proceedings, on the ground that the parties have compromised the matter.

2. It is averred in the petition that on 25/26.09.2022 compromise has been arrived at between the parties with the intervention of respectable persons and elders. After such compromise all disputes inter se them have been resolved and they have decided to live in peace in future.

3. Respondent No. 2, Sh. Navneet Singh is present in the Court. His statement has been recorded on oath. In his statement Sh. Navneet Singh has specifically stated that the matter stands compromised with the petitioners and in view of such compromise, he does not intend to further prosecute the petitioners. As per respondent No. 2, he was known to petitioners since long and they had a property dispute and on settlement of such property dispute the subject matter of FIR in question also got resolved. He has undertaken that all the parties have

vowed to live in peace and for this purpose alone the compromise has been effected. He has also verified the contents of compromise, Annexure P-2 and has identified his signatures thereon.

4. All the petitioners except petitioner No.5 are also present in person. Their joint statement has also been recorded. All of them have endorsed the statement given by respondent No. 2 in the Court today as correct. Petitioners present in the Court have also verified the correctness of compromise, Annexure P-2. They have also vowed to live in peace in future.

5. Perusal of FIR No. 0136 reveals that on the basis of allegations contained therein a case under Sections 452, 380, 506 and 120-B of IPC was registered against petitioners. The allegations contained therein had overtones of civil dispute. Now, better sense has prevailed upon parties and they have settled all their pending disputes including civil/property dispute. As a necessary consequence, the dispute arising out of the aforesaid FIR has also been compromised. Parties were known to each other since long. Since, they have now decided to live in peace, it will be in the interest of justice to allow the prayer made in the petition so as to enable them to have harmonious relations in future, which otherwise is also the ultimate object of every civilized society.

6. In light of above discussion, the instant petition is allowed. FIR No. 0136, dated 18.08.2022, registered at Police Station Dharampur, District Solan, H.P., under Sections 452, 380, 506 and 120-B of IPC and consequent criminal proceedings, are ordered to be quashed.

Pending miscellaneous application(s), if any, shall also stand disposed of.