

(2022) 12 SHI CK 0053
In the High Court Of Himachal Pradesh
Case No : CR.MMO No. 1033 Of 2022

Sukhbir Singh

APPELLANT

Vs

State Of H.P. And Others

RESPONDENT

Date of Decision : 19-12-2022

Acts Referred:

Indian Penal Code, 1860 — Section 34, 451, 506

Citation : (2022) 12 SHI CK 0053

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 instant petition has been filed for quashing of FIR No. 0112 dated 1707.2022, registered at Police Station, Dharampur, District Solan, H.P. under Sections 451, 506, 34 of IPC and consequent criminal proceedings arising therefrom, 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. Petitioner as well as respondents No. 2 and 3 are present in the Court today. Their separate statements have been recorded.
4. Respondent No.3 has stated that a civil dispute in respect of certain immovable properties existed between her husband and petitioner, which now stands settled and compromised amicably. She has further stated that there were cross criminal cases between the parties and the FIR No. 0112 dated

17.07.2022 was one of them. The terms of compromise have been stated to be recorded vide Annexure P-2. Respondent No.3 has stated that though she was not a signatory to compromise Annexure P-2, but her husband is signatory and she has no objection in case the FIR in question is ordered to be quashed on the basis of such compromise.

5. Respondent No.2 stated that the FIR No. 0112 dated 17.07.2022 was result of civil litigation between the parties, which now stands compromised. He further verified the contents of compromise Annexure P-2 to be correct.

6. The petitioner also endorsed the statements of respondents No. 2 and 3 to be correct. The contents of compromise Annexure P-2, have also been verified by him. He has further undertaken to abide by the terms of the compromise Annexure P-2.

7. Perusal of FIR No. 0112 reveals that on the basis of allegations contained therein, a case under Sections 451, 506, 34 of IPC was registered against the petitioner. The allegations contained therein, had overtones of civil dispute. Now, better sense has prevailed upon the 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.

8. In light of above discussion, the instant petition is allowed. FIR No. 0112, dated 17.07.2022, registered at Police Station, Dharampur, District Solan, H.P., under Sections 451, 506, 34 of IPC and consequent criminal proceedings arising therefrom, against the petitioner, are ordered to be quashed. Pending miscellaneous application(s), if any, shall also stand disposed of.