
(2020) 11 SHI CK 0049
In the High Court Of Himachal Pradesh
Case No : CRMMO No. 316 Of 2020

Sunil Kumar

APPELLANT

Vs

Nihal Singh And Others

RESPONDENT

Date of Decision : 04-11-2020

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 323, 324, 451

Citation : (2020) 11 SHI CK 0049

Hon'ble Judges : Ajay Mohan Goel, J

Bench : Single Bench

Advocate : H.S. Rangra, Jagan Nath, Dinesh, Divya Sood

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 petitioner has prayed for quashing of FIR No. 192 of 2019, dated 21.12.2019, registered under Sections 451, 323 and 324 of the Indian Penal Code, at Police Station Karsog, District Mandi, H.P., as well as consequential criminal proceedings arising therefrom, i.e. Police Challan No. 04 of 2020, titled as State of H.P. vs. Sunil Kumar.

2. I have heard learned Counsel for the petitioner as well as learned Counsel for respondents No. 1 and 2 and learned Additional Advocate General.

3. Complainant/respondent No. 1, Nihal Singh, who is present in person in the Court, has been duly identified by his Counsel Shri Jagan Nath, Advocate. His statement has also been independently recorded, 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. 192 of 2019, dated 21.12.2019, registered under Sections 451, 323 and 324 of the Indian Penal Code, at Police Station Karsog, District Mandi, H.P as well as

consequential criminal proceedings arising therefrom. A copy of compromise so arrived at between the parties is appended with the petition as Annexure P-3 and execution of the same as also the contents thereof, have also been acknowledged by respondent No. 1.

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 subsequent criminal proceedings, if any, pending trial, are quashed and set aside.

5. Accordingly, in view of above, this petition is allowed and FIR No. 192 of 2019, dated 21.12.2019, registered under Sections 451, 323 and 324 of the Indian Penal Code, at Police Station Karsog, District Mandi, H.P as well as consequential criminal proceedings arising therefrom, i.e. Police Challan No. 04 of 2020, titled as State of H.P. vs. Sunil Kumar, are quashed and set aside, taking into consideration the compromise (Annexure P-3) which has entered between the complainant i.e. respondent No. 1 and the accused i.e. the present petitioner, and statement to this effect, made by respondent No. 1 in this Court, which shall form part of the judgment.

The present petition stands disposed of in above terms, so also pending miscellaneous application(s), if any.