
(2021) 03 SHI CK 0081
In the High Court Of Himachal Pradesh
Case No : CRMMO No. 104 Of 2021

Swarn Garg And Others

APPELLANT

Vs

State Of Himachal Pradesh And Another

RESPONDENT

Date of Decision : 09-03-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 120B, 409, 420, 467, 468, 471

Citation : (2021) 03 SHI CK 0081

Hon'ble Judges : Ajay Mohan Goel, J

Bench : Single Bench

Advocate : R.L.Sood,, Arjun Lall, Sanjeevani Sood, Somesh Raj, Dinesh Thakur, Sanjeev Sood, Divya Sood, Satyen Vaidya, Vivek Sharma, Swarn Garg, Nainee Garg, Reema Gharu Akash Garg

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. 68 of 2020, dated 18.07.2020, registered under Sections 409, 420, 467, 468, 471 and 120-B of the Indian Penal Code, at Police Station Pawanoo, District Solan, H.P. as well as consequential criminal proceedings, if any, pending before the learned Trial Court.
2. I have heard learned Senior Counsel appearing for the petitioners as well as learned Senior Counsel appearing for respondent No. 2 and learned Additional Advocate General.
3. Respondent No. 2, Mr. Akash Garg, who is present in person in the Court, has been duly identified by his Counsel Mr. Vivek Sharma, Advocate.

His statement has also been independently recorded in the Court, wherein, he stated that he has entered into a compromise with the petitioners/

accused as it primarily was a family dispute and he is not interested in pursuing the matter which led to registration of FIR No. 68 of 2020, dated

18.07.2020, registered under Sections 409, 420, 467, 468, 471 and 120 -B of the Indian Penal Code, at Police Station Pawanoo, District Solan, H.P. as

well as criminal proceedings ensuing therefrom, if any. 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. 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

in issue as well as consequential criminal proceedings, if any, pending trial, are quashed and set aside, especially in view of the fact that primarily it is a

family dispute.

5. Accordingly, in view of above, this petition is allowed and FIR No. 68 of 2020, dated 18.07.2020, registered under Sections 409, 420, 467, 468, 471

and 120-B of the Indian Penal Code, at Police Station Pawanoo, District Solan, H.P. as well as criminal proceedings ensuing therefrom, if any, are

quashed and set aside, taking into consideration the compromise entered between the complainant i.e. respondent No. 2 and accused i.e. present

petitioners and statement to this effect, made by respondent No. 2 in this Court. The compromise deed Annexure P- 3 as well as statement of the

complainant made today in the Court shall form part of the judgment.

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