

**IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA**

**CRMMO No.: 350 of 2023**

**Decided on: 28.04.2023**

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Neeraj Kumar and others

...Petitioners

**Versus**

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State of Himachal Pradesh and another

...Respondents

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**Coram**

***The Hon'ble Mr. Justice Ajay Mohan Goel, Judge.***

**Whether approved for reporting?<sup>1</sup>**

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For the petitioners : Mr. Vinod Chauhan, Advocate.

For the respondent(s) : M/s Jitender Sharma, Tejasvi Sharma, Pushpender Jaswal and Baldev Negi, Additional Advocate Generals with Mr. Gautam Sood, Deputy Advocate General for respondent No. 1.

Mr. Dhiraj Thakur, Advocate for respondent No. 2.

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**Ajay Mohan Goel, Judge** *(Oral)*

By way of this petition filed under Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No. 40 of 2023, dated 15.03.2023, registered at Police Station Puruwala, District Sirmaur, H.P. under Sections 325 and 323, read with Section 34 of the Indian Penal Code as well as ensuing criminal proceedings therefrom.

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, namely, Sh. Sandeep Goswami, who is present in person in the Court, has been duly identified by Counsel Mr. Dhiraj Thakur, Advocate, who is representing him. Power of attorney, if not filed earlier, be filed during the course of the day.

4. Statement of respondent No. 2 has also been independently recorded in the Court, wherein he stated that he has compromised the matter with the petitioners as the issue which led to registration of FIR in question has been amicably settled between them as they want to live in peace and harmony with each other and taking into consideration this fact, he is not interested in pursuing further FIR No. 40 of 2023, dated 15.03.2023, registered at Police Station Puruwala, District Sirmaur, H.P. under Sections 325 and 323, read with Section 34 of the Indian Penal Code as well as ensuing criminal proceedings therefrom and further has no objection, in case, the same are quashed and set aside by this Court. A copy of the compromise deed has been appended

with the petition as Annexure P-2 and contents as well as execution thereof have been admitted by respondent No. 2.

5. Learned Additional Advocate General has also very fairly submitted that in case the parties intend to settle the matter and live and peace and harmony with each other, the respondent-State has no objection in case petition is allowed and FIR as well as consequential criminal proceedings, pending trial, as prayed for, are quashed and set aside.

6. Accordingly, in view of above, this petition is allowed and FIR No. 40 of 2023, dated 15.03.2023, registered at Police Station Puruwala, District Sirmaur, H.P. under Sections 325 and 323, read with Section 34 of the Indian Penal Code as well as ensuing criminal proceedings therefrom, pending adjudication in the Court concerned, 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. the petitioners herein and statement to this effect, made by respondent No. 2/complainant in this Court. The compromise deed Annexure P-2 as well as the statement made by respondent No. 2 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.

**(Ajay Mohan Goel)**  
**Judge**

April 28, 2023  
(narender)