

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr.MMO No. 596 of 2024
Reserved on: 13.08.2024
Date of Decision: 30.08. 2024.

Atul Kumar**....Petitioner****Versus****State of H.P. & Ors.****....Respondents****Coram*****Hon'ble Mr. Justice Rakesh Kainthla, Judge.******Whether approved for reporting? No***

For the petitioner : **Mr. Vijay Kumar, Advocate, vice Mr. Sanjeev Kumar Suri, Advocate.**

For respondents : **Ms. Ayushi Negi, Deputy Advocate General for respondents No.1 to 3/State.**

: **Ms. Abhilasha Kaundal, Advocate for respondents No.4 and 5.**

Rakesh Kainthla, Judge

The present petition has been filed under Section 482 of Cr.P.C. for quashing of F.I.R. No. 102 of 2023, dated 09.06.2023, for the commission of offences punishable under Sections 279 and 337 of IPC registered at Police Station Dehra, District Kangra, H.P. and consequent proceedings arising out of the said F.I.R based on compromise effected between the parties.

Whether reporters of the local papers may be allowed to see the judgment? Yes

2. It has been asserted that the matter has been compromised between the parties voluntarily and in view of the compromise, the FIR be quashed.

3. The statement of informant and injured were recorded on 11.07.2024 in which they have stated that the matter had been compromised between the parties voluntarily without any influence from any person and they have no objection, in case the FIR lodged against the petitioner/accused is ordered to be quashed.

4. I have heard learned counsel for the parties and have gone through the records carefully.

5. This Court had already quashed the F.I.R. registered for the commission of offences punishable under Sections 279, 337 and 338 of IPC in *Sushant vs State of H.P. 2023 HLC 531, Vikas Huda vs. State of H.P. 2023 STPL 3009, Kulwidner Singh vs Ankush Kumar 2023 HLR 384 and Nishant vs. State 2022 Suppl. Law Cases 45 and others* based on the compromise. These judgments are binding on this Court.

6. Therefore, in view of these precedents, the present petition is allowed and F.I.R. No. 102 of 2023, dated 09.06.2023, for the commission of offences punishable under Sections 279, and 337 of IPC registered at Police Station at Dehra, District Kangra, H.P. is ordered to

be quashed. Consequent upon the quashing of FIR, criminal proceedings pending/initiated against the petitioner-accused in pursuance thereto, are also ordered to be quashed.

7. Petition stands disposed of in the above terms, so also pending applications, if any.

8. Parties are permitted to produce a copy of this judgment, downloaded from the webpage of the High Court of Himachal Pradesh before the authorities concerned, and the said authorities shall not insist on the production of a certified copy but if required, may verify passing of the order from Website of the High Court.

(Rakesh Kainthla)
Judge

30th August, 2024
(ravinder)