( 2024:HHC:15441 )

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

**Cr.MMO No.350 of 2024**
**Decided on : 20.12.2024**

Kiran Sharma ...Petitioner

Versus

State of Himachal Pradesh & Another ...Respondents

*Coram*
**The Hon'ble Mr. Justice Virender Singh, Judge.**
*Whether approved for reporting?*[1]

For the petitioners : Mr. Somesh Sharma, Advocate.

For the respondents : Mr. H.S. Rawat, Additional Advocate General, for respondent No.1.

Mr. Sanket Sankhyan, Advocate for respondent No.2.

**Virender Singh, Judge** (oral).

Petitioner-Kiran Sharma has filed the present petition, under Section 482 of the Code of Criminal Procedure (hereinafter referred to as 'CrPC'), for quashing of FIR No.250 of 2023, dated 21.12.2023, registered with Police Station, Dhalli, District Shimla, H.P., under Sections 3(1)(s) of the Scheduled Caste and Scheduled Tribes

[1] *Whether Reporters of local papers may be allowed to see the judgment? Yes.*

(Prevention of Atrocities) Act, 1989, (hereinafter referred to as the 'SC & ST Act').

2. The relief of quashing has been sought on the ground that respondent No.2, due to some misunderstanding, has lodged the FIR, in question, against the petitioner. After registration of the FIR, the police has conducted the investigation.

3. According to the petitioner, now, with the intervention of the respectables of the society, in order to maintain their future cordial relations, the matter has been compromised with respondent No.2, as, they both are residents of the same area.

4. The terms and conditions of the compromise have been reduced into writing, which are annexed with the petition, as, Ex. P-A.

5. On the basis of the above facts, a prayer has been made that the FIR, as well as, proceedings, resultant thereto, pending before the learned trial Court, may kindly be quashed and set aside, by allowing the petition.

6. When put to notice, the State has filed the status report, disclosing therein the manner, in which, the

FIR, in question, has been registered and the police has investigated the case.

7. Respondent No.2, who, at one point of time, has levelled the allegations against the petitioner, has now compromised the matter with the petitioner.

8. Respondent No.2, today, appeared, before this Court and deposed that due to some misunderstanding, the FIR, in question, has been registered, at his instance and now, the matter has been compromised with the petitioner, vide compromise deed Ex.P-A. The compromise has been effected between them, in order to maintain their future cordial relations and to live peacefully in the society. He has stated that he has no objection, in case, the petition is allowed, as prayed for.

9. Similar type of statement has been made by the petitioner, on oath.

10. Heard.

11. A perusal of the cause title of the petition reveals that the petitioner and respondent No.2, are residents of the same area. Since, the petitioner, as well as, respondent No.2, are residents of the same area, as

such, they have compromised the matter, in order to maintain their future cordial relations.

12. This Court is satisfied, with the genuineness of the compromise, as, both of them, are residents of the same area and the reason for compromise has been mentioned, as, they want to live peacefully, in the society. In such situation, the chances of success of the prosecution case against the petitioner are also not so bright.

13. The primary purpose of the law is to maintain peace and harmony in the society. When the petitioner and respondent No.2 have buried all the disputes by compromising the matter, then, permitting the proceedings to continue, would be nothing, but, abuse of the process of law.

14. Even otherwise, the acceptance of the compromise, by this Court, will save the precious judicial time of the learned trial Court, which, the learned trial Court will be in a position to devote for the decision of some other serious matters, pending before it.

15. Considering all these facts, the petition is allowed and FIR No.250 of 2023, dated 21.12.2023, registered with Police Station, Dhalli, District Shimla, H.P., under Sections 3(1)(s) of the SC & ST Act, as well as, the proceedings resultant thereto, are ordered to be quashed.

16. The compromise deed, Ex.P-2, and the statements of the parties, recorded today, in the Court, shall form part of the judgment.

17. Pending miscellaneous applications, if any, shall also stand disposed of accordingly.

**( Virender Singh )**
**Judge**

**December 20, 2024** *(ps)*