IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr. MMO No 1131 of 2024
Reserved on: 13.12.2024
Date of Decision: 20.12.2024.

Sunil Kumar and Anr. ...Petitioners

Versus

State of H.P. and Anr. ...Respondents

Coram
Hon'ble Mr Justice Rakesh Kainthla, Judge.
Whether approved for reporting?[1] No

For the Petitioners : Mr. Karanveer, Advocate.
For Respondent No.1 : Mr. Lokender Kutlehria, Additional Advocate General.
For Respondent No.2 : Mr. Nitish Negi, Advocate.

Rakesh Kainthla, Judge

The petitioner has filed the present petition for quashing of FIR No. 87 of 2023, dated 21.05.2023, registered for the commission of offences punishable under Sections 354 and 504 read with Section 34 of the Indian Penal Code (hereinafter referred to as IPC) at Police Station Dehra, District Kangra, H.P. and consequential Police challan bearing registration No.107 of 2023

[1] Whether reporters of Local Papers may be allowed to see the judgment? Yes.

Neutral Citation No. (2024:HHC:15416)

pending before learned Judicial Magistrate, First Class, Dehra, District Kangra, H.P.

2. It has been asserted that the informant made a complaint to the police that the accused had molested her. The police registered the FIR and filed the challan before the Court. The FIR was registered due to some ideological differences between the parties. The matter has been settled between them; hence, the petition seeking the quashing of the FIR and the consequential proceedings arising out of the FIR.

3. The statement of the informant was recorded on 22.11.2024, in which she stated that she had entered into a compromise (Annexure P3) with the accused voluntarily without any influence from any person. She did not want to proceed further with the matter because of the compromise.

4. This Court had already quashed the F.I.R. under Section 354 of IPC in ***Vidya Devi vs State of Himachal Pradesh & others 2022 STPL 13724 HP, Chaman Lal vs State of H.P., Latest HLJ 2023 (HP) (1) 213***, ***Ameen vs State of Himachal Pradesh & others, 2023(1) Him. L.R 375*** and ***Rakesh Verma vs State of H.P. Latest HLJ 2022 (HP) (2) 952*** based on compromise. These judgments are binding on this Court.

Neutral Citation No. (2024:HHC:15416)

5. Therefore, in view of these precedents, the present petition is allowed, and FIR No. 87 of 2023, dated 21.05.2023, registered for the commission of offences punishable under Sections 354 and 504 read with Section 34 of the IPC at Police Station Dehra, District Kangra, H.P. and consequential Police challan bearing registration No.107 of 2023 pending before learned Judicial Magistrate, First Class, Dehra, District Kangra, H.P., are also quashed.

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

7. 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

20th December, 2024
(saurav pathania)