

IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

Cr. MMO No. 771 of 2025

Decided on : 22.12.2025

Kuldeep Dass Sharma

...Petitioner

Versus

State of H.P. & anr.

...Respondents

Coram

Hon'ble Mr. Justice Virender Singh, Judge

Whether approved for reporting?

For the Petitioner : **Petitioner in person with Mr.
Parikshit Rathour, Advocate.**

For the Respondents : **Mr. H.S. Rawat, Additional
Advocate General with Mr.
Rohit Sharma, Dy.A.G.**

**Respondent No. 2 in person with
Mr. Somesh Sharma, Advocate.**

Virender Singh, Judge (oral)

The petitioner has filed the present petition, under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (hereinafter referred to as 'the B.N.S.S.) for quashing of FIR No. 235 of 2018, dated 17.8.2018, under Sections 451, 323, 354, 506 and 509 of the

Indian Penal Code (hereinafter referred to as 'the IPC') registered with Police Station, Sadar, Solan, H.P., as well as, the proceedings resultant thereto, pending before the learned Addl. Chief Judicial Magistrate, Court No. 2, H.P. (hereinafter referred to as 'the trial Court').

2. Brief facts, as borne out from the record, are that on 17.8.2018, a scuffle had taken place between the petitioner and respondent No. 2, who are neighbours.

3. Thereafter, on the statement of respondent No. 2, FIR in question was registered.

4. During pendency of the case, the matter has been compromised between the parties.

5. The terms and conditions of the compromise have been reduced into writing, and the terms and conditions of the compromise have been reduced into writing, as Annexure P-2.

6. On all these submissions, a prayer to allow the present petition, by quashing the FIR in question, as

well as, proceedings resultant thereto, pending before the learned trial Court, has been made.

7. When put to notice, respondent No. 1 has filed the status report, disclosing therein, the manner, in which, the FIR in question has been registered and criminal machinery swung into motion.

8. It is the further case of respondent No. 1 that after completion of investigation, report under Section 173(2) of Cr. P.C. has been filed. Cognizance has been taken by the learned trial Court and the matter is stated to be pending adjudication, before the learned trial Court.

9. Today, respondent No. 2, who, has put criminal machinery into motion, has appeared in Court and has made a statement, on oath, about the manner, in which, she has lodged the FIR in question and factum of the compromise, which has been effected, between the parties.

10. Lastly, respondent No. 2, in unequivocal terms, has deposed that she does not want to proceed further with the matter. She has also stated that she

has no objection, in case, the present petition is allowed and the FIR in question and the proceedings resultant thereto, pending before the learned trial Court, are quashed.

11. Similar type of statement has also been made by the petitioner.

12. Heard.

13. From the facts, as mentioned in the petition, as well as, the factual position, as narrated in the status report, this Court is of the view that the matter has now been compromised, between the parties.

14. The person, who has put the criminal machinery into motion, by lodging FIR in question, when, appeared before this Court, has stated that the compromise has been effected between the parties. Lastly, she has submitted that she has no objection, in case the present petition is allowed.

15. In view of the compromise having been effected, between the parties, respondent No.2 does not want to proceed further with the case and has specifically stated that she has no objection, in case,

the present petition is allowed and the FIR in question, as well as, proceedings resultant thereto, pending before the learned trial Court, are quashed.

16. The primary purpose of law is to maintain peace in the society and when, the parties to the lis, i.e. petitioner and respondent No.2, have buried their disputes and compromised the matter, then, the continuation of the criminal proceedings, arising out of the FIR in question, lodged by respondent No. 2, would certainly amount to abuse of the process of law.

17. Acceptance of the compromise will help the parties to live peacefully in the society and also save the precious judicial time of the learned trial Court, as the learned trial Court will be in a position to devote such time, for deciding some other serious disputes, pending before it.

18. Considering all these facts, the present petition is allowed and FIR in question, as well as, proceedings resultant thereto, pending adjudication before the learned trial Court, are quashed.

19. The statements, so recorded, and the compromise Annexure P-2 be read as part of the judgment.

20. The present petition is allowed in the aforesaid terms. Pending miscellaneous application(s), if any, also stands disposed of.

(Virender Singh)
Judge

December 22, 2025
Kalpana