

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr.MMO No. : 1216 of 2025

Decided on : 23.12.2025

Raman Kumar & Another

...Petitioners

Versus

State of Himachal Pradesh & Others

...Respondents

Coram

The Hon'ble Mr. Justice Virender Singh, Judge.

Whether approved for reporting?¹

For the petitioners : Petitioners in person with Mr. Karan Singh Kanwar, Advocate.

For the respondents : Mr. H.S. Rawat, Additional Advocate General with Mr. Rohit Sharma, Deputy Advocate General, for respondents No.1 to 3.

Respondent No.4 in person with Mr. Rajnish K. Lall, Advocate.

Virender Singh, Judge (oral).

Petitioners have filed the present petition, under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (hereinafter referred to as 'BNSS'), for quashing of FIR No.06 of 2022, dated 27.05.2022, (hereinafter referred to

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

as the FIR, in question), registered with Women Police Station, Nahan, District Sirmaur, H.P., under Sections 498-A and 504 of the Indian Penal Code, (hereinafter referred to as the 'IPC'), as well as, the proceedings resultant thereto, which are stated to be pending before the Court of learned Judicial Magistrate First Class, Nahan, District Sirmaur, H.P., (hereinafter referred to as the 'trial Court').

2. The relief of quashing has been sought on the basis of the compromise effected between the parties.

3. According to the petitioners, on the statement of respondent No.4, the FIR, in question, has been registered against them.

4. After registration of the FIR, the police has conducted the investigation and submitted the charge-sheet, which is now pending adjudication before the learned trial Court.

5. According to the petitioners, during the pendency of the case, petitioner No.1 and respondent No.4, had decided to part their ways and moved a petition for divorce, under Section 13-B of the Hindu Marriage Act, on

the basis of mutual consent, before the Court of learned Principal Judge, Family Court, Sirmaur at Nahan, for dissolution of marriage, in which, vide judgment and decree dated 3.1.2024, the marriage of petitioner No.1 and respondent No.4, has been dissolved.

6. The terms and conditions of the compromise have been reduced into writing, which are Ex.P-D.

7. 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.

8. When put to notice, the State has filed the status report, disclosing therein that on 27.05.2022, respondent No.4, had moved a complaint to the police, mentioning therein, that she had solemnized marriage with petitioner No.1, on 28.10.2020. After one month of the marriage, her husband and her in-laws had started quarrelling with her on account of dowry. Thereafter, she had complained the matter with her parents, however, her in-laws also abuse her parents. She has earlier made a

complaint to WPS Nahan. As such, she had lodged the FIR, in question, against the petitioners.

9. The person, who, at one point of time, had levelled the allegations against the petitioners, and had lodged the FIR, in question, appeared, before this Court and made a statement, on oath, that after marriage, the petitioners had harassed her and on account of the said fact, she had lodged the FIR, in question, against the petitioners. She has also deposed that the matter has been compromised between her and the petitioners, vide Compromise Deed Ex.P-D.

10. In addition to this, she has deposed that since, it was not possible for her to live in the matrimonial home with petitioner No.1, as his legally wedded wife, as such, they have decided to part their ways and moved a petition for divorce, under Section 13-B of the Hindu Marriage Act, on the basis of mutual consent, before the Court of learned Principal Judge, Family Court, Sirmaur at Nahan, for dissolution of marriage and vide judgment and decree dated 3.1.2024, their marriage has been dissolved. She

has also stated that she has no objection, in case, the petition is allowed, as prayed for.

11. Similar type of statement has been made by the petitioners, on oath.

12. Heard.

13. Petitioner No.1 and respondent No.4, were married in the year 2020. Later on, compelled by the circumstances, their relations became strained and due to the said fact, respondent No.4, has lodged, the FIR, in question.

14. As per the stand taken by the parties, since, it was not possible for petitioner No.1 and respondent No.4 to live together, as husband and wife, they have decided to part their ways, by moving a petition, under Section 13-B of the Hindu Marriage Act, on the basis of mutual consent, before the Court of learned Principal Judge, Family Court, Sirmaur at Nahan, for dissolution of marriage, and vide judgment and decree dated 03.01.2024, their marriage has been dissolved. Certified copy of judgment dated 3.1.2024, is Ex.PA, Statement of respondent No.4 is Ex.PB and the statement of petitioner No.1 is Ex.PC. Thereafter, the

matter has been compromised, between the parties. The terms and conditions of the compromise, have been placed on record as Ex. P-D.

15. The criminal machinery, in the present case, has been put into motion, by respondent No.4, by lodging the FIR, in question. Now, as per the stand taken by the petitioners, as well as, respondent No.4, they have compromised the matter, in view of the compromise, Ex. P-D.

16. If, the statement of respondent No.4, is considered, in the light of the compromise, then, this Court is of the view that the chances of success of the prosecution case, against the petitioners, are not so bright, as, the person, who, at one point of time, had put the criminal machinery into motion, now, in unequivocal terms, has deposed that the matter has been compromised and on the basis of the compromise, she does not want to continue with the case.

17. The primary purpose of the law is to maintain peace and harmony in the society. When, the petitioners and respondent No.4 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.

18. Even otherwise, 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.

19. Considering all these facts, the petition is allowed and FIR, in question, as well as, the proceedings resultant thereto, which are stated to be pending before the learned trial Court, are ordered to be quashed.

20. The compromise deed, Ex.PD, and the statements of the parties, recorded today, shall form part of the judgment.

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

(Virender Singh)
Judge

December 23, 2025_(ps)