

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

**Cr.MMO No.1239 of 2025
Date of Decision: 29.12.2025**

Gurwinder Singh	...Petitioner
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Versus

State of H.P. & Ors.	Respondents
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Coram:

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

Whether approved for reporting?¹

For the Petitioner	: Petitioner in person with Mr. Y.P. Sood and Mr. Praveen Chauhan, Advocates.
For the Respondents	: Mr. Mohinder Zharaick, Additional Advocate General, with Ms. Avni Kochhar, Deputy Advocate General, for respondent No.1/State Respondents No.2 and 3 in person with Mr. Rohit, 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.163 of 2025, dated 24.05.2025** (hereinafter referred to as 'the FIR in question'), registered **under Sections 281, 125(a), of Bharatiya Nyaya Sanhita**, (hereinafter referred to as 'the B.N.S') and **Section 187 of Motor Vehicles Act** (hereinafter referred to as 'the MV Act), with **Police Station, Sadar Una,**

¹ Whether reporters of Local Papers may be allowed to see the judgment?

District Una, H.P., as well as, the proceedings resultant thereto, which are pending before the learned Chief Judicial Magistrate, Una, District Una, H.P., (hereinafter referred to as the learned trial Court),

2. Relief, as claimed for, has been sought on the ground that the matter has been compromised between the petitioner and respondents No.2 and 3, in order to maintain their cordial relations.

3. The terms and conditions of the compromise have been reduced into writing, which have been annexed with the petition, as Annexure P-2.

4. On all these submissions, a prayer has been made to allow the present petition, by quashing the FIR in question, as well as, proceedings resultant thereto, which are pending before the learned trial Court.

5. When put to notice, respondent No.1, has filed the status report, disclosing therein, that on 24.05.2025, respondent No.2, with his wife respondent No.3-Sangeeta Devi and his grand daughter was on the way to Una on Motorcycle No.HP-20B-8660. When they reached near Jhalera Chowk, Una, in the meanwhile, petitioner-Gurwinder Singh came there, while driving Car No.PB03AQ7486, and caused the accident.

In the said accident, respondents No.2 and 3 had sustained injuries. On the statement of respondent No.2, the FIR in question has been registered and the manner, in which, the investigation is being conducted.

6. Today, respondent No.2, who, had put criminal machinery into motion, has appeared in the Court and has made a statement, on oath, about the manner, in which, he had lodged the FIR in question and factum of the compromise, which has been effected, between the parties, in order to maintain cordial relations, between petitioner, as well as respondents No.2 and 3. According to respondent No.2, there was no negligence on part of the petitioner, in the accident in question, as the same had taken place, due to error of judgment.

7. Lastly, respondent No.2, in unequivocal terms, has deposed that he does not want to proceed further with the matter, in order to maintain their cordial relations. He has also stated that he has no objection, in case, the present petition is allowed and the FIR in question and the proceedings resultant thereto, are quashed. The person, who had put the criminal machinery into motion by lodging the FIR, as per the statement of respondent No.2.

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

9. Statement of respondent No.3, has been made through video conferencing.

10. Heard.

11. 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.

12. The person, who had 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. Respondent No.2, has exonerated the petitioner from the allegations of rash and negligent driving, by deposing that he was not negligent, while driving and the accident, in question, had taken place, due to error of judgment.

13. In view of the compromise deed, Annexure P-2, which bears the signatures of petitioner, as well as, respondents No.2 and 3, respondent No.2, who has deposed that he does not want to proceed further with the case and has specifically stated that he 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, this Court is of the view that no useful purpose would be served by keeping the proceedings pending before the learned trial Court.

14. The primary purpose of law is to maintain peace in the society and when, the parties to the lis, i.e. petitioner and respondents No.2 and 3, have buried their disputes and compromised the matter, then, 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.

15. Acceptance of the compromise will help the parties to live peacefully in the society and also save the precious judicial time of the Court, where the charge-sheet will be filed and such Court, will be in a position to devote such time, for deciding some other serious disputes, pending before it.

16. When, complainant (respondent No.2) has exonerated the petitioner from the allegations of rash and negligent driving, in that eventuality, chances of success of the prosecution case, against the petitioner, are not so bright, as

such, no useful purpose would be served by keeping the proceedings alive.

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

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

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

(Virender Singh)
Judge

December 29, 2025
(subhash)