

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA**Cr. MMO No. 136 of 2026****Reserved on: 17.9.2026****Date of Decision: 28.9.2026.**

Deepak Kumar**... Petitioner****Versus****State of HP & ors.****... Respondents**

Coram***Hon'ble Mr Justice Rakesh Kainthla, Judge.******Whether approved for reporting?¹ No.*****For the Petitioner : Ms. Shrutika Chauhan,
Advocate.****For Respondent No.1/State : Mr Jitender Sharma, Additional
Advocate General.****For Respondents No.2 to 5 : Mr Shubham Sood, Advocate.**

Rakesh Kainthla, Judge

The petitioner has filed the present petition for quashing of FIR No. 60 of 2024, dated 25.4.2024, registered at Police Station Amb, District Una, for the commission of offences punishable under Sections 279, 337, and 338 of the Indian Penal Code (IPC) and consequential proceedings arising out of the said F.I.R. based on a compromise effected between the parties.

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

2. It has been asserted that the matter has been compromised between the parties with the intervention of respectable persons of society. The injured persons are minors, and their guardians have voluntarily entered into a compromise after understanding its consequences. They do not want to proceed further with the matter after the compromise; hence, the petition.

3. Statements of Ajay Kumar (father of Panush), Vijay Kumar (father of Samar), and Sujeet Kumar (father of Aryan) were recorded on 17.3.2026 and statements of Arti Devi (mother of Paridhi), Parveen Kumari (mother of Nimrat), and Ajay Kumar (father of Shreya) were recorded on 4.6.2026, wherein they stated that they are the legal guardians of the minors and have entered into the compromise on behalf of the minors. The certificates of Nimrat showing Parveen Kumari as her mother and of Paridhi showing Arti Devi as her mother have also been placed on record. The police have filed the status report stating that Surjeet Kumar is the father of Aryan, Ajay Kumar is the father of Panush, and Vijay Kumar is the father of Samar. Thus, it has been duly established that the statements of the guardians of the minor injured have been recorded.

4. Section 320(4)(a) of the Code of Criminal Procedure provides that when a person who would otherwise be competent to compound an offence is under the age of eighteen years, any person competent to contract on his behalf may compound such offence. Therefore, the parents/guardians/father and mother are competent to enter into a compromise on behalf of the minors.

5. The FIR has been registered for the commission of offences punishable under Sections 279, 337 and 338 of the IPC. This Court has already quashed the F.I.R. registered for the commission of offences punishable under Sections 279, 337, and 338 of the IPC in *Sushant vs. State of H.P. 2023 HLJ 531*, *Vikas Huda vs. State of H.P. 2023 STPL 3009*, *Kulwidner Singh vs. Ankush Kumar 2023 HLR 384* and *Nishant vs. State 2022 Suppl. Law Cases 45*, based on compromise. These judgments are binding on this Court.

6. Therefore, in view of these precedents, the present petition is allowed and FIR No. 60 of 2024, dated 25.4.2024, registered at Police Station Amb, District Una, for the commission of offences punishable under Sections 279, 337, and

338 of the Indian Penal Code (IPC) and consequential proceedings arising out of the said F.I.R. are quashed.

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

8. 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 the Website of the High Court.

(Rakesh Kainthla)
Judge

28th September, 2026
(Chander)