

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CrMMO No. 129 of 2026

Reserved on: 30.09.2026

Date of Decision: 06.10.2026

Rahil Khan & others

.... Petitioners

Versus

State of H.P. & others

.... Respondents

Coram

Hon'ble Mr Justice Rakesh Kainthla, Judge.

Whether approved for reporting? No.

For the petitioners : Mr Ankit Dhiman, Advocate.

**For respondents : Mr Ajit Sharma, Deputy Advocate
General, for respondents No.1 &
2/State.**

**: Mr Hemant Thakur, Advocate, for
respondents No. 3 and 4.**

Rakesh Kainthla, Judge

The petitioners have filed the present petition under Section 528 of the Bhartiya Nagarik Suraksha Sanhita (BNNS), 2023, for quashing of F.I.R. No. 14 of 2026, dated 05.02.2026, registered for the commission of offences punishable under Sections 126(2), 115(2), 190, 191(2), 324(4) and 351 (2) of

Whether reporters of the local papers may be allowed to see the judgment? Yes

Bhartiya Nyaya Sanhita (BNS), 2023 at Police Station Nahan, District Sirmour, H.P. and consequential proceedings arising out of the said F.I.R. based on the compromise.

2. It has been asserted that the parties have entered into a compromise voluntarily without any influence from any person, and the informant and victim do not want to proceed further with the matter after the compromise. Hence, the present petition.

3. The statements of Ram Swaroop, father of the informant Anurag Thakur, and victim Akhilesh Thakur were recorded on 14.05.2026, in which they stated that they had entered into a compromise with the petitioners/accused voluntarily without any influence from any person and had no objection to quashing the FIR based on a compromise between the parties.

4. The matriculation certificate showing that Anurag was born on 17.01.2009 and is a minor as on today has been filed.

5. Section 359 of the Bharatiya Nagrik Suraksha Sanhita (BNSS) makes the offences punishable under Sections 115(2), 126(2), 324(4) and Section 351 (2) compoundable. Section

359(3) provides that when the offences are compoundable, and a person is liable under Section 190 of the BNS, the offence may be compounded. Section 359(4) (a) also provides that when the person who is otherwise competent to compound an offence is a child, the person competent to contract on his behalf may compound such offence. Therefore, the offences punishable under Section 126(2), 115(2), 190, 324(4) and Section 354(2) of BNS can be compounded.

6. Section 191(2) corresponds to Section 147 of the IPC and this Court had already quashed the F.I.R. registered for the commission of offences punishable under Section 147 of IPC inter alia in *Sivo Devi vs others vs State of HP 2023 (2)*, *Shimla Law Cases 949*, *Umesh Kumar vs State of HP 2022 STPL 10721*, *Satish Kumar State of H.P. 2022 STPL 10703*, *Inderjeet vs State of H.P. 2022(2) Himachal Law Reporter 1217* and *Subhash Verma vs State of H.P. 2021 (3) Shimla Law Cases 1146* based on compromise and these judgments are binding on this Court.

7. Therefore, in view of these precedents, the present petition is allowed and F.I.R. No.14 of 2026, dated 05.02.2026, registered for the commission of offences punishable under Sections 126(2), 115(2), 190, 191(2), 324(4) and Section 351(2) of

BNS at Police Station Nahan, District Sirmour, H.P. and consequential proceedings arising out of the said F.I.R. are quashed.

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

06th October, 2026
(ravinder)