

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr. MMO No. 828 of 2026

Reserved on: 23.09.2026

Date of Decision: 30.09.2026

Jagatjit Singh Kohli & others

.... Petitioner

Versus

State of H.P. & another

.... Respondents

Coram

Hon'ble Mr Justice Rakesh Kainthla, Judge.

Whether approved for reporting? No.

For the petitioners : Mr Aditya Chouhan, Advocate.

For respondents : Mr Jitender Sharma, Additional
General, for respondents No.1 /State.

Mr Ankush Chauhan, Advocate, for
respondent No.2.

Rakesh Kainthla, Judge

The petitioners have filed the present petition for quashing of FIR No. 8 of 2026, dated 20.03.2026, registered at Women Police Station, Una, H.P. for the commission of offences punishable under Section 85, 316 (2) and 351 (2) read with Section 3(5) of Bharatiya Nyaya Sanhita (BNS), 2023, based on a compromise effected between the parties.

2. It has been asserted that the marriage between the petitioner no. 1 and the informant/respondent no.2 was solemnised on 28.02.2024, as per the Hindu rites and customs. The parties resided together, but differences arose between them, which led to the institution of multiple proceedings. The matter has been compromised between the parties. The parties have decided to divorce each other. The informant does not want to proceed further with the matter after the compromise. Hence, the present petition.

3. The statement of the informant/Victim Ayana Rana was recorded on 17.08.2026, in which she stated that she had entered into a compromise with the petitioners voluntarily without any influence from any person and had no objection to quashing the FIR based on a compromise between the parties.

4. The offences punishable under Sections 316(2) and 351 (2) of the BNS are compoundable under Section 359 of the Bharatiya Nyaya Sanhita (BNS), 2023. Section 359(3) of BNSS provides that when an offence is compoundable under this Section, and a person is liable by virtue of Section 3(5), the offence may be compounded. Therefore, the offences punishable

under Sections 316(2) and 351 (2), read with Section 3 (5) of BNS, can be compounded based on a compromise between the parties.

5. The offence punishable under Section 85 corresponds to Section 498-A of the IPC, which is a matrimonial dispute and can be quashed, as per the judgments in *Gian Singh versus State*, 2012 (10) SCC 303, *Narender versus State of Punjab*, 2014 (16) SCC 466, *Vikas Singh vs. State of H.P. (2023)I DMC 335 (HP)* and *Sanjay Kumar vs. State of H.P 2023 (1) Him L.R. 602*. These judgments are binding on this Court.

6. In view of the above, the present petition is allowed, and F.I.R. No. 8 of 2026, dated 20.03.2026, registered at Women Police Station Una, District Una, H.P. for the commission of offences punishable under Sections 85, 316(2), 351(2) read with Section 3(5) of BNS and consequential proceedings arising out of F.I.R. are quashed.

7. Petition stands disposed of in the above terms, so also pending 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

30th September, 2026
(Ravinder)