

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr. MMO No. 858 of 2026

Reserved on: 30.09.2026

Date of Decision: 07.10.2026

Kartik Sharma

.... Petitioner

Versus

State of H.P. & others

.... Respondents

Coram

Hon'ble Mr Justice Rakesh Kainthla, Judge.

Whether approved for reporting? No.

For the petitioner : Mr Sunny Dhatwalia, Advocate.

For respondents : Mr P.K. Nadda, Additional Advocate
General, for respondents No.1 /State.
Ms Devender K. Sharma, Advocate,
for respondents 2 to 7.

Rakesh Kainthla, Judge

The petitioner has filed the present petition for quashing of F.I.R. No. 51 of 2026, dated 10.05.2026, registered at Police Station Barsar, District Hamirpur, H.P. for the commission of offences punishable under Sections 281, 125(a) and 106(1) of Bhartiya Nyaya Sanhita (BNS) and consequential proceedings

arising out of it, based on the compromise effected between the parties.

2. It has been asserted that the parties have compromised the matter with each other with the intervention of the respectable persons of the society. The informant/victim does not want to proceed further with the matter after the compromise. Hence, the petition.

3. The statement of the informant Shakti Chand and the legal heirs of the victim, Prem Chand, Jagan Nath @ Jagar Nath, Rajinder Kumar, Ratni Devi and Sunita Devi were recorded on 24.08.2026, in which they stated that they had entered into a compromise with the petitioner/accused voluntarily without any influence from any person and they do not want to proceed further with the matter. The copies of the death certificate and legal heir certificate have also been placed on record.

4. I have heard the learned counsel for the parties and have gone through the records carefully.

5. The offences punishable under Section 281 and 106(a) correspond to Section 279 and 304A of the IPC. The offence punishable under Section 125(a) is compoundable under Section

359 of Bhartiya Nagarik Suraksha Sanhita (BNSS), 2023. Section 359(4) (b) of BNSS provides that when the person competent to compound the offence is dead, his legal representatives can also compound the offence; therefore, the legal representatives of the victim can compound the offence punishable under Section 106 (a) of the BNS.

6. This Court has quashed the F.I.R. registered for the commission of an offence punishable under Section 279 of the IPC, *inter alia*, in *Sushant vs State of H.P. 2023 HHC 531*, *Vikas Huda vs State of H.P. 2023 STPL 3009*, *Kulwidner Singh vs Ankush Kumar 2023 HLR384* and *Nishant vs. State 2022 Suppl. Law Cases 45*. This Court has also quashed the F.I.R. registered for the commission of an offence punishable under Section 304-A of the IPC in *Ramalingam Sambanth & ors. vs. State of H.P., 2023: HHC5908*, *Madhuri Saini & anr. vs. State of H.P. & others, CrMMO No. 885 of 2024, decided on 14th November, 2024*. Further, the Delhi High Court quashed the F.I.R. for the commission of offences punishable under Section 304-A of the IPC, *inter alia*, in *Sunil Kumar Sharma & anr vs. State of H.P. & Ors. 2025 Supreme (Online) (DEL) 830* and *Inderjit Kaur & another vs. The State NCT of Delhi and ors. 2024 Supreme(Online)(Del) 5497*.

7. In view of the above, the present petition is allowed, and FIR No. 51 of 2026, dated 10.5.2026, registered for the commission of offences punishable under Sections 281, 125(a), 106(1) of BNS, 2023 at Police Station Barsar, District Hamirpur, H.P. and the consequential proceedings arising out of the said F.I.R. are quashed.

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

9. 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

07th October, 2026
(Ravinder)