

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr. MMO No.927 of 2026

Date of Decision : 03.09.2026

Balbinder Singh and others

..... Petitioners

Versus

State of Himachal Pradesh and another

.....Respondents

Coram:

The Hon'ble Mr. Justice Bipin Chander Negi, Judge

Whether approved for reporting?¹

For the petitioners : Mr. N.K. Thakur, Senior Advocate with Mr. Divya Raj Singh and Mr. Karan Veer Singh, Advocates.

For the respondents : Mr. Lokender Kutlehria, Additional Advocate General, for respondent No.1-State.

Mr. Anurag, Advocate, for respondent No.2/
complainant.

ASI Anush Kumar, Police Station, Dehra, District Kangra, Himachal Pradesh, is present in person.

Bipin Chander Negi, Judge (oral)

The instant petition has been preferred under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) for quashing of FIR No. 39 of 2017, dated 08.03.2017, registered at Police Station Dehra, District Kangra, Himachal Pradesh, for the commission of offences punishable under Sections 504, 506, 509 read with Section 34 of the Indian Penal Code (for short "the IPC"), and the consequent proceedings initiated thereto bearing Police Challan No. 150 of 2018 pending before

learned Additional Chief Judicial Magistrate, Court No. 1, Dehra, District Kangra, Himachal Pradesh, on the basis of a compromise arrived at *inter se* the parties.

2. It has been averred that the aforesaid criminal proceedings were initiated at the instance of respondent No. 2/complainant. Upon conclusion of the investigation, the final report under Section 173 of the Code of Criminal Procedure was presented and the proceedings are now pending adjudication before the learned trial Court.

3. During the pendency of the proceedings, amicable settlement has been arrived at between the petitioners/accused and respondent No. 2/complainant. The said compromise is stated to have been executed out of free will, volition, and without any duress, coercion, or undue influence and respondent No. 2 has stated that she does not intend to pursue the pending proceedings before learned Additional Chief Judicial Magistrate, Court No. 1, Dehra, District Kangra.

4. Statement of respondent No. 2/complainant has been recorded separately on oath before this Court today. In the statement, she has categorically stated that the dispute *inter se* her (respondent No.2-complainant and the petitioners/accused) has been amicably resolved as the petitioners have released their mistake and are repentant. Other than the aforesaid, it has been stated that the compromise has been entered into between them to maintain cordial relations and harmony. It has been categorically stated that the compromise has been entered into by respondent No.2/complainant out of free will, volition, and without any

duress, coercion, or undue influence and on fully understanding the implication thereof.

5. The deed of compromise has been exhibited on record as **Exhibit P-3** (at page 13 of the paper-book) and respondent No.2/complainant has admitted her signature thereupon and has admitted that it is the said compromise which has been entered into between them.

6. Quashing of criminal proceedings or FIR or complaint, in exercise of inherent powers is distinct and different from the powers exercised by the Criminal Courts for compounding the offences under Section 320 of the Code of Criminal Procedure, as illuminated by the Hon'ble Supreme Court in ***Gian Singh v. State of Punjab and another, (2012) 10 SCC 303.***

7. In ***Narinder Singh and others v. State of Punjab and another, (2014) 6 SCC 466***, the Apex Court reiterated that while exercising extraordinary inherent jurisdiction, the Court must examine the nature, gravity, and social impact of the crime, and refrain from interceding in heinous or serious offences involving deep mental depravity, murder, rape, or dacoity. Furthermore, in ***Dimpey Gujral and others v. Union Territory through Administrator, U.T. Chandigarh and others, (2013) 11 SCC 497***, the Hon'ble Apex Court has observed that when offences are of personal nature, burying them would bring peace and harmony between two sides.

8. A perusal of the FIR Annexure P-1 (Page-7 of the paper book) and the final report Annexure P-2 (Page-10 of the paper book)

would demonstrate that the petitioners/accused were involved in the incident. However, the dispute, in the case at hand, was a private matter and did not affect society at large. The parties on account of the compromise Exhibit P-3 (Page-13 of the paper book) and in terms of the statement of respondent No.2/complainant recorded before this Court have resolved the dispute and are residing peacefully.

9. Consequently, in view of the aforesaid legal and factual matrix, the petition is allowed. FIR No. 39 of 2017, dated 08.03.2017, registered at Police Station Dehra, District Kangra, Himachal Pradesh, for the commission of offences punishable under Sections 504, 506, 509 read with Section 34 of the Indian Penal Code (for short “the IPC”), and the consequent proceedings initiated thereto bearing Police Challan No. 150 of 2018 pending before learned Additional Chief Judicial Magistrate, Court No. 1, Dehra, District Kangra, Himachal Pradesh are ordered to be quashed.

10. The petition stands disposed of in the above terms, so also the pending application(s), if any.

11. 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 Website of the High Court.

(Bipin Chander Negi)
Judge

September 03, 2026 (KS)

