

IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

Cr.MMO No. 942 of 2026
Decided on 6th October, 2026

Naresh

...Petitioner

Versus

State of HP & Others

.....Respondents

Coram

Hon'ble Mr. Justice Chirag Bhanu Singh, Judge.

¹Whether approved for reporting?

For the petitioner : Ms. Rajni Gandhi & Mr. Mayank Sharma, Advocates.

For respondents No.1 to 3 : Mr. Lokender Kutlehria, Additional Advocate General.

For respondents No.4 to 7 : Mr. Sunil Thakur, Advocate.

Chirag Bhanu Singh, Judge (Oral)

The petitioner invokes the inherent jurisdiction of this Court under Section 528 of the Bharatiya Nagrik Suraksha Sanhita, 2023 (in short 'BNSS') for seeking the quashing of FIR No. 153 of 2026, dated 26.07.2026 registered in Police Station Shimla (West), District Shimla under the provisions of Sections 281 & 125(a) of the Bharatiya Nyaya Sanhita, 2023 (in short 'BNS'), in furtherance of the compromise arrived at between the parties.

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

2. The pith and substance of the allegations against the petitioner, also happens to be the accused in the said FIR, was that on the intervening night of 25/26.07.2026, at about 02.15 AM, his vehicle had hit the cabin of the security guard i.e. respondent No.4 near the main entry of the Snow Valley Resort Hotel in Shimla. In the process, the petitioner had also collided with three vehicles bearing registration Nos. HP 29A 8222, HR 39G 1833, and HR 68C 3766, resulting in some minor damage to the vehicles as well.

3. According to the petitioner, though the matter had come to be compromised at the spot itself, but the police had still lodged the aforesaid FIR.

4. Even after the registration of the FIR, the parties have again compromised the matter, and the Compromise Deeds (Annexure-P2 colly) in respect of all the victims, including the guard, have been placed on record.

5. The petitioner and respondent No. 4/complainant, i.e. the guard, who had sustained minor injuries after being hit are present in the Court and affirm that they had immediately resolved the dispute and nothing subsists between the parties. They had actually compromised the matter at the spot itself. Both the parties

vouch for the same today in Court too. The learned counsel for the respondents No.5 to 7 further submitted that they have received the compensation for the whatever little damage they had suffered in respect of their vehicles.

6. The Compromise Deeds (Annexure-P2 colly) are also on record.

7. It is by now well settled that apart from quashing compoundable offences, this Court, indeed, has sufficient powers to even quash proceedings involving non-compoundable offences.

8. In view of the compromise so entered *inter se* the parties, while exercising the inherent powers of this Court under Section 528 of Cr.P.C., this Court can, indeed, quash the proceedings, though having due regard to the nature and gravity of the crime and its impact on the society at large. Generally, heinous offenses relating to mental depravity, murder, rape, dacoity etc. may not come within the purview of the same, but offenses arising from commercial, financial, mercantile and civil, partnership, matrimonial or family disputes, where the wrong is basically private or personal in nature may be given a quietus, excising such powers.

9. The quashing of proceedings though must still not

tantamount to the abuse of the process of law. The aforesaid proposition already stands answer by the Hon'ble Supreme Court in no uncertain terms in ***Gian Singh Vs. State of Punjab & Anr. (2012) 10 SCC 303.***

10. In the case at hand, the parties having resolved the conflict at the spot itself, no effective purpose would be served in continuing with the criminal proceedings. It would be an exercise in futility. Since the dispute has been settled by the parties voluntarily and separate Compromise Deeds in this behalf already stand recorded and placed on the file, it would indeed be in the interest of justice and fair play that the criminal proceedings are put to an end, more so, keeping in view the burgeoning pendency of cases. The unwanted cases can be given a quietus enabling the Courts to give due weightage and time to the deserving cases on its docket.

11. Seeing to the nature of allegations and gravity of the offences mentioned in the FIR, this Court will be well within its jurisdiction to quash the criminal proceedings against the accused and it is ordered accordingly.

12. As a sequel of the FIR No. 153 of 2026, dated 26.07.2026 registered in Police Station Shimla (West), District

Shimla under the provisions of Sections 281 & 125(a) of the BNS are quashed and set aside. Ordered accordingly.

13. Accordingly, the petition is disposed off, so also the pending application(s),if any.

(Chirag Bhanu Singh)
Judge

06.10.2026
(*Ritu*)