

**IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA**

**Cr. MMO No. 986 of 2026**

**Date of Decision: 10.9.2026.**

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Ashwani Kumar

...Petitioner

Versus

Sapna Devi

...Respondent

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*Coram*

***Hon'ble Mr Justice Rakesh Kainthla, Judge.***

***Whether approved for reporting?<sup>1</sup> No.***

For the Petitioner : M/s Reeta Hingmang and  
Mridul Nag, Advocates.

For the Respondent : Mr. Vishwakirti Rajput,  
Advocate.

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**Rakesh Kainthla, Judge (Oral)**

It has been stated on behalf of the respondent/complainant that the matter has been reconciled between the parties.

2. Learned counsel for the petitioner has produced the receipt dated 10.9.2026, issued by Member Secretary, H.P. Legal Services Authority, Kasumpti, Shimla, regarding the deposit of ₹1,72,500/- being the 15% of the cheque amount of ₹11,50,000/-, which is taken on record.

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<sup>1</sup> Whether reporters of Local Papers may be allowed to see the judgment? Yes.

3. The record shows that the petitioner/accused was convicted and sentenced by learned Trial Court. The petitioner/accused unsuccessfully challenged his conviction and sentence before learned First Appellate Court and before this Court in Cr. Revision No. 602 of 2025 titled Ashwani Kumar versus Sapna Devi.

4. The Division Bench of this Court held in *Chune Ram vs. Brikam Chand*, 2025:HHc:38122 decided on 13.11.2025 that the Court can quash the conviction even after its finalization in criminal revision based on the compromise effected between the parties. This judgment is binding upon this Court.

5. In view of this judgment, the present petition is allowed and the conviction and sentence awarded by the learned Trial Court as affirmed by learned Appellate Court and by this Court in Cr. Revision No. 602 of 2025 titled Ashwani Kumar versus Sapna Devi, decided on 26.11.2025 are ordered to be quashed.

6. It has been submitted that ₹4,60,000/- have been deposited in the Court of learned Additional Sessions Judge-II, Kangra at Dharamshala, H.P., which has to be disbursed to the respondent/complainant in term of the compromise. Let the

amount of ₹4,60,000/-, deposited in the Court of learned Additional Sessions Judge-II, Kangra at Dharamshala, H.P. be disbursed to the respondent/complainant by remitting the same to his bank account on furnishing of the bank account details, if not furnished earlier.

7. The petitioner is stated to be in judicial custody and he is presently lodged in Lala Lajpat Rai District and Open Air Correctional Home, Dharamshala, H.P. He is ordered to be released forthwith, if not required in any other case. Release warrants be prepared accordingly and the same be sent to the Superintendent, Lala Lajpat Rai District and Open Air Correctional Home, Dharamshala, H.P., through FASTER forthwith for necessary compliance.

8. In view of the above, the present petition is disposed of, so also the pending miscellaneous application(s), if any.

10<sup>th</sup> September, 2026  
(Chander)

**(Rakesh Kainthla)**  
**Judge**

CHANDER  
SHEKHAR

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by CHANDER  
SHEKHAR  
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