

IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA**Cr.MMO No.1009 of 2026****Decided on 08.10.2026**

Sadan Hussain & Anr.

...Petitioners

Versus

State of H.P. & Ors.

...Respondents

Coram**Hon'ble Mr. Justice Chirag Bhanu Singh, Judge.****¹Whether approved for reporting?**

For the petitioners: Mr. Bonit Thakur, Advocate.For the respondents: Mr. Prashant Sen, Deputy Advocate
General, for respondents No.1 & 3.Ms. Babita Chauhan, Advocate, for
respondent No.2.

Chirag Bhanu Singh, Judge (Oral)

The present petition has been filed by the petitioners under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as the 'BNSS'), seeking the quashing of FIR No.110 of 2026, dated 02.07.2026, registered under Sections 126(2), 115(2), 307 and 351(2) of Bharatiya Nyaya Sanhita (hereinafter referred to as the 'BNS'), at Police Station Nahan, District Sirmaur, H.P., and all the consequent proceedings arising thereto.

2. The simple case setup by petitioners is that the FIR came to be registered as a counter blast to the FIR No.12 of 2026 registered in Women Police Station Nahan, District Sirmaur, H.P. However, due to the intervention of the elders, the parties have now compromised the matter and the same has been reduced into writing annexed along with the petition, as Annexure P-2.

3. The perusal of the FIR is suggestive of the fact that the petitioners/accuseds had merely way laid the complainant. Mere allegations was that an amount of Rs.1,00,000/- was forcibly tried to be snatched from the complainant. Over and apart, no allegations have been made and now since the parties themselves have buried the hatchet, no effective purpose would be served by keeping the FIR pending.

4. The complainant and the accuseds are present before this Court today. They have affirmed the compromise on record. The petitioners/accuseds have stated that the signatures on the compromise deed have been appeneded by them voluntarily and without any coercion from any quarter. The petitioners, who are the accsueds have also stated in the Court today itself that they would not repeat such acts in future and already sought pardon from the complainant. The complainant is also not averse to the same.

5. It is thus more than apparent that the FIR had come to be registered because of some misunderstanding between the parties and now they have compromised the lis, which is also voluntary in nature. The parties are bound by the terms and conditions of the compromise. No fruitful purpose would be served in keeping the FIR, pending.

6. 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.

7. 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.

8. 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.***

9. In the case at hand, since the parties are living in the same village, no effective purpose would be served in continuing with the criminal litigation. Since the dispute has been settled by the parties voluntarily and separate statements 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.

10. Seeing to the nature of allegations and gravity of the offence mentioned in the FIR, this Court will be well within its jurisdiction to quash the criminal proceedings against the petitioners/accuseds and it is ordered accordingly.

11. As a sequel the FIR No.110 of 2026, dated 02.07.2026, registered for the commission of offences punishable under

Sections 126(2), 115(2), 307, 351(2) of BNS, at Police Station Nahan, District Sirmaur, H.P., and all the consequential proceedings arising out of the said FIR, are quashed and set aside. Ordered accordingly.

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

(Chirag Bhanu Singh)
Judge

8th October, 2026
(subhash)