IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CrMMO No. 292 of 2026
Reserved on: 16.11.2026
Decided on: 20.11.2026

Kumari Sonali .... Petitioner

Versus

State of H.P. & another .... Respondents

Coram

Hon'ble Mr Justice Rakesh Kainthla, Judge.

Whether approved for reporting?[1] No.

For the Petitioner	:	Mr Sumit Sharma, Advocate.
For the Respondents	:	Mr Ajit Sharma, Deputy Advocate General, for respondent No.1 / State. Mr Mahesh Thakur, Advocate, for respondent No.2.

Rakesh Kainthla, Judge

The petitioner has filed the present petition for quashing of FIR No. 115 of 2025, dated 18.08.2025, registered at Police Station Barsar, District Hamirpur, H.P. for the commission of offences punishable under Section 118(1) of the Bharatiya Nyaya

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

Sanhita (BNS) and Section 27(1) of the Arms Act, based on a compromise.

2. It has been asserted that the FIR was lodged because of some misunderstanding. The victim had sustained a minor injury. The minor is aged 6 years. She is under the custody of her mother, who has entered into a compromise with the petitioner voluntarily, without any influence from any person. Hence, the petition.

3. The statement of the victim's father, Mohammad Raees, was recorded on 14.09.2026, in which he stated that he had entered into a compromise with the petitioner without any influence from any person and had no objection to quashing the FIR based on a compromise. The copy of the Aadhaar card was filed to show that the victim was aged 6 years.

4. The status report also mentions that the victim was a minor at the time of the incident. The status report further mentions that the air gun was used to scare away the monkeys. The air gun does not fall within the definition of "arms" provided under the Arms Act; hence, the Arms Act was deleted, and the

charge-sheet was filed before the Court for the commission of offences punishable under Sections 125 and 125(b) of the BNS.

5. Section 125 of the BNS corresponds to Section 336 of the IPC, and Section 125(b) corresponds to Section 338 of the IPC. The offence punishable under Section 125(b) of the BNS is compoundable under Section 359 of the BNSS, and this Court has quashed the FIR for the commission of an offence punishable under Section 336 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, Ashish Kumar vs. State of H.P. & another 2024:HHC16368,*** based on compromise. These judgments are binding on this Court.

6. Consequently, the present petition is allowed, and F.I.R. No. 0115 of 2025, dated 18.08.2025, registered at Police Station Barsar, District Hamirpur, H.P., for the commission of offences punishable under Sections 118(1) of BNS and 27(1) of the Arms Act and consequential proceedings arising out of the F.I.R. are quashed.

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

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8. 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 the passing of the order from the website of the High Court.

(Rakesh Kainthla)
Judge

20th November, 2026
(Ravinder)