IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr. MMO No. 814 of 2026
Reserved on: 16.10.2026
Date of Decision: 27.10.2026

Abhineet Chauhan **.... Petitioner**

Versus

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

Coram
Hon'ble Mr Justice Rakesh Kainthla, Judge.
Whether approved for reporting? No.

For the petitioner	:	**Mr Ashwani Dhiman, Advocate.**
For respondents	:	**Mr Jitender Sharma, Additional Advocate General, for respondent No.1/State** **Mr Chaman Singh, Advocate, for respondent No.2.**

Rakesh Kainthla, Judge

The petitioner has filed the present petition for quashing of FIR No. 16 of 2022, dated 08.07.2022, registered at Women Police Station Shimla for the commission of offences punishable under Sections 377, 498A, 504 and 506 of the Indian Penal Code (IPC) and the consequential proceedings arising out of it based on the compromise effected between the parties.

2. It has been asserted that the matter arose out of a matrimonial discord between the parties. The parties have settled the matter amongst themselves, and the informant does not want to proceed further with the matter after the compromise; hence the present petition.

3. The statement of the informant/victim was recorded on 25.08.2026, in which she stated that she had compromised the matter with the accused voluntarily without any influence from any person and she did not want to proceed further with the matter after the compromise.

4. This Court had held on 06.08.2026 that the offence punishable under Section 377 of IPC cannot be quashed, as per the judgment of this Court in ***Chetan Chinnmay Joshi & Ors. vs. State of H.P. & anr. Cr.MMO No. 995 of 2023, decided on 17.07.2025,*** which was unsuccessfully assailed before the Hon'ble Supreme Court of India in ***Chetan Chinnmay Joshi & Ors. vs State of H.P. & anr Special Leave Petition (Criminal) Diary No.*****53245 of 2025, decided on 10.11.2025**; therefore, it is impermissible to quash the FIR registered for the commission of an offence punishable under Section 377 of IPC.

5. The offences punishable under Sections 504 and 506 of the IPC are compoundable under Section 320 of the Code of Criminal Procedure (CrPC).

6. The offence punishable under Section 498A has arisen out of a matrimonial dispute and can be quashed as per the judgments in ***Gian Singh versus State, 2012 (10) SCC 303***, ***Narender versus State of Punjab, 2014 (16) SCC 466, Vikas Singh vs. State of H.P. (2023)I DMC 335 (HP)*** and ***Sanjay Kumar vs. State of H.P 2023 (1) Him L.R. 602.*** These judgments are binding on this Court.

7. Therefore, in view of the above, the present petition is partly allowed, and FIR No. 16 of 2022, dated 08.07.2022, registered for the commission of offences punishable under Section 498A, 504 and 506 of IPC is ordered to be quashed. However, it is expressly made clear that the FIR and the consequential proceedings arising out of it will continue regarding the commission of an offence punishable under Section 377 of the IPC.

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

9. The observations made hereinabove are regarding the disposal of this petition and will have no bearing whatsoever on the merits of the case.

(Rakesh Kainthla)
Judge

27th October, 2026
(Ravinder)