IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

Cr.MMO No.1001 of 2026
Decided on 18.11.2026

Inder Singh and others …Petitioners

Versus

State of Himachal Pradesh and others …Respondents

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

For the petitioners: Mr. Vishwas Kaushal , Advocate.

For the respondents: Mr. Lokender Kutleria, Additional Advocate General, for respondent No.1-State.

Mr. Aman Hansretta and Ms. Arshi, Advocates, for respondents No. 2 to 4.

Chirag Bhanu Singh, Judge *(Oral)*

The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as the 'BNSS'), seeking the quashing of FIR No. 138 of 2017, dated 24.06.2017, registered under Sections 323, 504, 506, 341, 452 read with Section 34 of IPC, at Police Station Balh, District Mandi, H.P., and all the consequent proceedings pending before the Court of learned Judicial Magistrate First Class, Court No.2, Mandi, District Mandi, H.P.

2. The simple case setup by petitioners is that since they were neighbors and the accuseds have sought pardon for the incident and as such the parties have entered into a compromise vide Annexure P-2.

3. Both the sides including the complainant's, namely Prem Singh, Pooja, Deepak and Bharti Devi so also the accuseds Inder Singh, Chaman Lal and Ramesh Chand @ Vikey are present in persons and have also got recorded their statements today too. By way of their statements, they have reiterated that the accused after tendering apology have compromised the dispute with the complainant's, being neighbors. It is more than apparent that the compromise in the aforesaid terms indeed stand effected and that to voluntarily and without any coercion or any pressure from any person. The parties have vouched for the same today in the Court too.

4. 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.

5. 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 of 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.

6. The quashing of proceedings though must still not tantamount to the abuse of the process of law. The aforesaid proposition already stands answered by the Hon'ble Supreme Court in no uncertain terms in ***Gian Singh Vs. State of Punjab & Anr. (2012) 10 SCC 303***.

7. 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.

8. 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.

9. As a squeal of the FIR No. 138/2017 dated 24.06.2017 registered for the commission of offences punishable under Sections 323, 504, 506, 341, 452 read with Section 34 of IPC, at Police Station Balh, District Mandi H.P. and all the consequential proceedings arising out of the said FIR, pending before the learned Judicial Magistrate First Class, Court No.2 District Mandi, H.P., are quashed and set aside. Ordered accordingly.

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

(Chirag Bhanu Singh)
Judge

18th November, 2026
(Anita)