IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

Cr.MMO No.1048 of 2026
Decided on 06.11.2026

Raghunandan …Petitioner

Versus

State of H.P. & Ors. …Respondents

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

For the petitioner:	Mr. Panku Chaudhary, Advocate.
For the respondents:	Mr.Lokender Kutlehria, Additional Advocate General, for respondents No.1 to 3/State.
	Mr. Shivanshu Attri, Advocate, for respondents No.4 to 11.

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.0006 of 2025, dated 09.02.2025, registered under Sections 281 & 125(A) of Bharatiya Nyaya Sanhita, 2023 (hereinafter referrede to as the BNS), at Police Station Kheri, District Chamba, H.P., and all the consequent proceedings pending before the Court of learned Judicial Magistrate First Class, Dalhousie, District Chamba, H.P.

2. The simple case setup by petitioner is that the aforesaid FIR, has come to be registered against the petitioner due to some misunderstanding and the accident actually had taken due to the poor condition of the road. Unfortunately, in the said accident the petitioner had lost his father and one niece. The accident had taken place due to the poor condition of the road. With the intervention of the respectable persons of the area, the matter has been compromised in order to maintain good relations with each other. The compromise deed (Annexure P-2) has been annexed alongwith the petition.

3. The statement of the complainant had come to be recorded on 28.09.2026. He had only witnessed the accident. He did not know the exact reason of the accident and as to whether it had happened due to the sole negligence of the driver. He had thus stated that he has no objection if the said FIR is quashed.

4. The statement of the petitioner has also been recorded on the same day. As per him too the accident had taken place due to heavy fog, because the vehicle had rolled down the road resulting into the tragic death of his father and niece. The accident had not occurred due to any neglience on his part. So was the statement of one Suresh Kumar and Guddi Devi, who were also

stated to be travelling in the ill-fated vehicle at the relevant time. Both of them had deposed that they have no objection if the FIR is quashed.

5. It is more than apparent that the compromise effected inerse the parties is voluntary and without any coercion from any quarter. All the parties had vouched from the same in the Court too.

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 *interse* 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, exercising 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. Since the dispute has been settled by the parties voluntarily and separate statement 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 accused and it is ordered accordingly.

11. As a squeal of the FIR No.0006 of 2025, dated 09.02.2025, registered under Sections 281 & 125(A) of BNS, 2023 at Police Station Kheri, District Chamba, H.P., and all the consequent proceedings pending before the Court of learned Judicial Magistrate First Class, Dalhousie, District Chamba, H.P.,

are quashed and set aside. Order accordingly.

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

(Chirag Bhanu Singh)
Judge

6th November, 2026
(subhash)