IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

Cr.MMO No.1138 of 2026
Decided on 05.11.2026

Sachin Kumar …Petitioner

Versus

State of H.P. & Anr. …Respondents

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

For the petitioner:	Mr. Bhishm Sharma, Advocate.
For the respondents:	Mr. Lokender Kutlehria, Additional Advocate General, for respondent No.1.
	Mr. Suneet Verma, Advocate, for respondent No.2.

Chirag Bhanu Singh, Judge *(Oral)*

The petition has invoked inherent powers of this Court, under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as the 'BNSS'), seeking the quashing of FIR No.273 of 2025, dated 06.11.2025, registered under Sections 281 and 125(a) of Bharatiya Nyaya Sanhita (hereinafter referred to as the BNS), at Police Station Sadar, District Mandi, H.P., and all the consequential proceedings arising out of the said FIR.

2. The short and simple case setup by petitioner is that on 05.11.2025 while he was driving his motorcycle, he had hit the three

wheeler of respondent No.2, who had got the aforesaid FIR registered against the present petitioner.

3. Because of the accident, the complainant/respondent had received minor injuries. Consequetly, they have entered into a compromise and agreed to put an end to all disputes between them. Even otherwise, the accident had taken place due to the bad condition of the road, due to major rains and landslides. The petitioner had also contributed towards the treatment of the complainant. A compromise (Annexure P-2) effected between the parties thereupon has been annexed with the petition.

4. Both the parties are present in the Court today and they have stated on oath that they have amicablly resolved the dispute interse them. The petitioner had recompensated the respondent for the minor injuries sustained by him due to the accident. The compromise deed (Annexure P-2) on record bears the signatures of both the petitioner and the respondent. The respondent does not intend to prosecute with the lis any further. Since the parties have amicably resolved the dispute, no fruitful purpose would be served, in keeping in the FIR pending.

5. The pleadings and the statements of the parties thus clearly show that the parties have entered into a compromise voluntarily. Both the parites have also vouched for the same today 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 *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.

8. 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***.

9. In the case at hand, since the parties have already amicably resolved the dispute, 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, which are indeed trivial too, 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.273 of 2025, dated 06.11.2025, registered for the commission of offences punishable under Sections 281 & 125(a) of BNS, 2023 at Police Station Sadar, District Mandi, 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

5th November, 2026
(subhash sharma)