

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA**Cr. MMO No. 169 of 2026****Reserved on: 22.4.2026****Date of Decision: 6.5.2026.**

Rakesh Kumar**.... Petitioner****Versus****State of HP & anr.****.... Respondents**

Coram***Hon'ble Mr Justice Rakesh Kainthla, Judge.******Whether approved for reporting?¹ No.*****For the Petitioner : Mr K.B. Khajuria,
Advocate.****For Respondent No.1-State : Mr Ajit Sharma, Deputy
Advocate General.****For Respondent No.2 : Mr P.K. Verma, Advocate.**

Rakesh Kainthla, Judge

The petitioner has filed the present petition for quashing of FIR No. 44 of 2025, dated 19.11.2025, registered at Women Police Station Chamba, District Chamba, H.P., for the commission of offences punishable under Sections 126(2), 115(2), 74, 78, 79, 352 and 351(3) of Bhartiya Nyaya Sanhita, 2023 (BNS) and consequential proceedings arising out of the said FIR based on the compromise effected between the parties.

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

2. It has been asserted that 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 petition.

3. Statement of the victim was recorded on 19.3.2026, in which she stated that she had entered into a compromise with the accused voluntarily without any influence from any person.

4. I have heard learned counsel for the parties and have gone through the records carefully.

5. The offences punishable under Sections 79, 115(2), 126(2), 351(3) and 352 of BNS are compoundable under Section 359 of Bharatiya Nagrik Suraksha Sanhita, 2023 (BNSS). The offence punishable under Section 74 of BNS corresponds to Section 354 of BNS, and Section 78 of BNS corresponds to Section 354D of IPC. This Court has quashed the FIR registered for the commission of an offence punishable under Section 354D of the IPC in *Raj Kumar vs State of HP* 2022(2) Him. L.R. 1150, *Navneet Mehta vs State of HP*. 2022(1) Him. L.R. 444, *Anil Sharma vs State of HP* 2020 (4) Shim. LC 1899 and *Kushal Kumar vs State of HP*. 2020 STPL 5621 HP based on a compromise. This Court had also

quashed the F.I.R. under Section 354 of IPC in *Vidya Devi vs State of Himachal Pradesh & others* 2022 STPL 13724 HP, *Chaman Lal vs State of H.P.*, Latest HLJ 2023 (HP) (1) 213, *Ameen vs State of Himachal Pradesh & others*, 2023(1) Him. L.R. 375 and *Rakesh Verma vs State of H.P.*, Latest HLJ 2022 (HP) (2) 952 based on compromise. These judgments are binding on this Court.

6. In view of these binding precedents, the present petition is allowed and the FIR No. 44 of 2025, dated 19.11.2025, registered at Women Police Station Chamba, District Chamba, H.P., for the commission of offences punishable under Sections 126(2) 115(2), 74, 78, 79, 352 and 351(3) of BNS and consequential proceedings arising out of it are ordered to be quashed.

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

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 passing of the order from the Website of the High Court.

(Rakesh Kainthla)
Judge

6th May, 2026
(Chander)