



2025:HHC:40013

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IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr.MMO No. 881 of 2025

Decided on : 25.11.2025

Mayank

...Petitioner

Versus

State of Himachal Pradesh & Ors.

...Respondents

Coram

The Hon'ble Mr. Justice Virender Singh, Judge.

Whether approved for reporting?¹

For the petitioner	:	Petitioner in person with Mr. Rahul Singh Verma, Advocate.
For the respondents	:	Mr. Varun Chandel, Mr. H.S. Rawat, Mr. Mohinder Zharaick Additional Advocates General and Ms. Ranjna Patial, Deputy Advocate General, for respondent No. 1.
		Respondents No. 2 & 3 in person, Mr. Anubhav Chopra, Advocate.

Virender Singh, Judge (oral).

Petitioner-Mayank has filed the present petition, under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'BNSS'), for quashing of FIR No. 20/2025, dated 24.01.2025, (hereinafter referred to as 'FIR in question') registered

¹ *Whether Reporters of local papers may be allowed to see the judgment? Yes.*



under Sections 281, 125(a) of Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as the 'BNS') and Sections 181 and 196 of Motor Vehicles Act, with Police Station Paonta Sahib, District Sirmour, H.P., as well as, the resultant proceedings thereto, on the basis of the compromise, which is stated to have taken place between the petitioner and respondents No. 2 & 3.

2. The present petition has been filed by the petitioner, on the ground, that on 23.01.2025, on the statement of respondent No. 2 Mushrraf Ali, FIR in question was registered against him, in which, the police has conducted the investigation and prepared the charge-sheet, which is under scrutiny.

3. It is his further case that during the pendency of those proceedings, matter has now been compromised and on the basis of compromise, a prayer for quashing of the FIR, in question, has been made.

4. On the basis of above facts, a prayer has been made to allow the petition, as prayed for.

5. When put to notice, police has filed the status report, disclosing therein, that on 23.01.2025, respondent



No. 2, was standing on NH-07, near the shop of Asif Denting-Painting. At about 4:25 pm, one motorcycle came at a high speed from the Ranbaxy Chowk side. Two persons were riding on that motorcycle. The rider of the motorcycle, while overtaking a Pick-up bearing registration No. UP11CT-0957, collided with the divider in the middle of the road. Due to collision, both the riders fell down and the rider of the motorcycle started bleeding from his mouth. Both the injured persons were shifted to the government hospital in a private vehicle. The motorcycle was black Hero Glamour bearing No. HP17B-3390, being driven by petitioner Mayank and the name of pillion rider was Himanshu. Thereafter, FIR in question has been registered and the criminal machinery swung into motion.

6. Complainant and injured have been impleaded as respondents No. 2 and 3, in this case, who have put appearance along with their Counsel. Respondent No. 2 has made a categorical statement that petitioner, as well as, respondent No. 3, sustained injuries in the accident and on his statement, police registered the FIR in question, against petitioner Mayank.



7. Respondent No. 3 has made a categorical statement that on 23.01.2025, an accident had taken place, involving motorcycle bearing No. HP17B-3390 and vehicle/Pick-up bearing registration No. UP11CT-0957. The offending vehicle/motorcycle was being driven by petitioner Mayank. On the statement of respondent No. 2, the police registered the FIR in question. Thereafter, the police conducted the investigation and after the investigation, charge-sheet has been prepared, which is under scrutiny.

8. According to respondents No. 2 and 3, the matter has now been compromised, in terms of compromise Annexure P-2, which bears their signatures encircled red at points A and B, respectively. The said compromise is stated to have been effected between the parties out of their sweet free will and without any coercion.

9. Similar type of statement has also been made by the petitioner, on oath.

10. Heard.



11. Learned counsel, appearing for the petitioner, has submitted that there is no previous criminal history of the petitioner, and according to him, the accident in question seems to have been taken place due to the error of judgment. As such, it has been prayed that petitioner, as well as, respondents No. 2 & 3, have taken positive steps to settle the dispute and said efforts should be recognized by the Court.

12. When, the person who has put the criminal machinery into motion has deposed, on oath, by stating that the matter has been compromised, then, permitting the proceedings against the petitioner to continue would be nothing, but, the abuse of process of law. The chances of success of the case of the prosecution against the petitioner are also not so bright.

13. Moreover, the acceptance of the petition will also save the precious judicial time of the Court, in which, the prosecution will file the charge-sheet, and the said Court will be in a position to devote such time for the decision of some other serious matters.



14. Considering all these facts, the petition is allowed. FIR No. 20/2025 dated 24.01.2025, under Sections 281, 125(a) of BNS and Sections 181 and 196 of Motor Vehicles Act, registered with Police Station Paonta Sahib, District Sirmour, H.P., as well as, proceedings resultant thereto, if any, are ordered to be quashed.

15. The compromise deeds Annexure P-2, as well as, statements of the parties, recorded today shall form part of this order.

16. Pending applications, if any, also stand disposed of.

(Virender Singh)
Judge

25th November, 2025
(Pramod Kumar)