



**IN THE HIGH COURT OF HIMACHAL PRADESH
SHIMLA**

Cr.MMO No.911 of 2025

Date of Decision: 27.11.2025

Rahul Tondon & Ors.

...Petitioners

Versus

State of H.P. & Anr.

.....Respondents

Coram:

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

Whether approved for reporting?¹

For the Petitioners : Mr. Rajat Awasthy, Advocate.

For the Respondents : Mr. Varun Chandel, Mr. H.S. Rawat and Mr. Mohinder Zharaick Additional Advocates General with Mr. Rohit Sharma and Ms. Ranjna Patial, Deputy Advocate General, for respondent No.1.
Ms. Ananya Sharma, Advocate, for respondent No.2.

Virender Singh, Judge (Oral)

Petitioners have filed the present petition, under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'BNSS'), for quashing of FIR No.21 of 2023, dated 18.06.2023, (hereinafter referred to as the FIR, in question), registered with Women Police Station, Baddi, Police District Baddi, H.P., under Sections 498-A, 406, 341 and 34 of the Indian Penal Code, (hereinafter

¹

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



referred to as the 'IPC'), as well as, the proceedings resultant thereto, which are stated to be pending before the Court of learned Additional Chief Judicial Magistrate, Nalagarh, District Solan, H.P., (hereinafter referred to as the 'trial Court').

2. The relief of quashing has been sought on the basis of the compromise, effected between the parties.

3. According to the petitioners, the marriage of petitioner No.1 was solemnized with respondent No.2, on 14.08.2021, as per Hindu customs. Thereafter, some matrimonial dispute has arisen between petitioner No.1 and respondent No.2. Subsequently, respondent No.2 has lodged the FIR, in question, against the petitioners.

4. It is the case of the petitioners that after registration of FIR, the police has investigated the matter and the final report, under Section 173(2) of CrPC, has been submitted, which is pending adjudication, before the learned trial Court.

5. It is the further case of the petitioners that thereafter, a petition, under Section 13-B of the Hindu Marriage Act, was filed, before the Court of learned Additional Principal Judge, Family Court, Nalagarh,



District Solan, H.P., for dissolution of the marriage of petitioner No.1 and respondent No.2, by decree of divorce, by way of mutual consent, which was allowed, vide judgment dated 29.08.2025.

6. According to the petitioners, thereafter, the matter has been compromised between both the parties, vide Annexure P-2.

7. On the basis of the said compromise, a prayer has been made to allow the petition, as prayed for, by quashing the FIR, in question, as well as, proceedings resultant thereto, pending before the learned trial Court.

8. When, put to notice, respondent No.1-State has filed the status report, mentioning therein, the circumstances, in which, the FIR, in question, has been registered, at the instance of respondent No.2, as well as, the manner, in which, the investigation has been conducted, by the police, in this case.

9. On 04.11.2025, respondent No.2-complainant appeared before the Court and has made a statement, on oath, that her marriage was solemnized with petitioner No.1, on 14.08.2021. After the marriage, due to non-compatibility of temperament, it was not possible for her to



live in the matrimonial home with her husband (petitioner No.1) and due to all these facts, she lodged the FIR, in question, against the petitioners.

10. As per further deposition of respondent No.2, she had filed the petition, under Section 13-B of the Hindu Marriage Act, for dissolution of her marriage with petitioner No.1, by way of decree of divorce, before the Court of learned Additional Principal Judge, Family Court, Nalagarh, District Solan, H.P. The said petition was allowed.

11. Respondent No.2 has further deposed that her marriage with petitioner No.1 has now been dissolved and the matter has been compromised between her and the petitioners, as such, she does not want to proceed further with the FIR, in question.

12. Apart from this, respondent No.2 has also shown her voluntariness and willingness to enter into the compromise with the petitioners, by stating that she has entered into the compromise with the petitioners voluntarily and without any influence from any person.

13. In addition to this, respondent No.2 has made no objection, in case, the present petition is allowed and



the FIR, in question, as well as, the resultant proceedings, thereto, are quashed, which are pending before the Court of learned Additional Chief Judicial Magistrate, Nalagarh, District Solan, H.P.

14. On 04.11.2025, similar statements of petitioners No.2 to 4 have also been recorded, on oath.

15. Today, i.e. 27.11.2025, similar statement of petitioner No.1 has also been recorded, on oath, through video conferencing.

16. Heard.

17. In this case, the criminal machinery was put into motion, by respondent No.2, by lodging the FIR, in question, against the petitioners. During the pendency of the case before the learned trial Court, when, it has been felt by petitioner No.1 and respondent 2 that it was not possible for them to live together, as husband and wife, then, they had decided to part their ways. Consequently, the marriage between the petitioner No.1 and respondent No.2 has now been dissolved, by way of decree of divorce, dated 29.08.2025, under Section 13-B of the Hindu Marriage Act.



18. Not only this, they have also settled all their inter se disputes by way of the Compromise Annexure P-2. From the statements of the parties to the present petition, this Court is satisfied with regard to the genuineness of the said compromise.

19. When, the parties have buried all their disputes, by compromising the matter, vide compromise deed, Annexure P-2, then, forcing them to pursue the litigation/contest the litigation would be nothing, but, abuse of the process of law.

20. The primary purpose of law is to maintain peace and harmony in the society. When, petitioner No.1 and respondent No.2 have already parted their ways, then, the pendency of the criminal proceedings, arising out of FIR, in question, would certainly come in their way to resettle in their life.

21. Even otherwise, acceptance of the compromise, by this Court, will save the precious judicial time of the learned trial Court, which, the learned trial Court will be in a position to devote for the decision of some other serious matters, pending before it. Moreover, this Court is satisfied



with the genuineness of the compromise (Annexure P-2),
entered into between the parties.

22. Considering all these facts, the petition is allowed and FIR No.21 of 2023, dated 18.06.2023, registered with Women Police Station, Baddi, Police District Baddi, District, H.P., under Sections 498-A, 406 & 34 of IPC, as well as, the proceedings resultant thereto, against the petitioners, which are pending before the learned trial Court, are ordered to be quashed.

23. The compromise, Annexure P-2, and the statements of the parties, recorded today in the Court, shall form part of the judgment.

24. Pending miscellaneous application(s), if any, shall also stand disposed of accordingly.

(Virender Singh)
Judge

November 27, 2025
(subhash)