

IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA
Cr. MMO No. 1022 of 2025
Decided on : 3.11.2025

Bhisham Singh

...Petitioner

Versus

State of H.P. & anr.

...Respondents

Coram

Hon'ble Mr. Justice Virender Singh, Judge
Whether approved for reporting?

For the Petitioner : Petitioner in person with Mr.
K.B.Khajuria, Advocate.

For the Respondents : Mr. H.S. Rawat, Addl. A.G.,
for respondent No. 1.

Respondent No. 2 in person
with Mr. Ashish Verma,
Advocate.

Virender Singh, Judge (oral)

The petitioner has filed the present petition, under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, (hereinafter referred to as 'the B.N.S.S.) for quashing FIR No. 103 of 2025, dated 21.10.2025, (hereinafter referred to as 'the FIR in question'), registered under Sections 126(2) and 351 (2) of the Bharatiya Nyaya Sanhita (hereinafter referred to as 'the BNS') and Sections 3(1)(s) of Scheduled

Castes and Scheduled Tribes Act, (hereinafter referred to as 'the SC & ST Act'), with Police Station, Chirgaon, District Shimla, H.P., as well as, the proceedings resultant thereto, if any.

2. Brief facts, as borne out from the record, are that the complainant (respondent No. 2) moved a complaint before the Police, disclosing therein, that on 20.10.2025, the complainant was on duty. At about 2:30 p.m, petitioner caught hold of the complainant in Chirgaon market and made caste based aspersions on him. He is also stated to have threatened the complainant.

3. Thereafter, respondent No. 2/complainant had lodged the FIR in question, upon which, the Police has investigated the matter.

4. It is also the case of the parties that now, during investigation, matter has been compromised, in pursuance of compromise, Annexure P-2, as the parties want to maintain their cordial relations, in future.

5. On all these submissions, a prayer to allow the present petition, by quashing the FIR in question, as well as, proceedings resultant thereto, if any, has been made.

6. When, put to notice, respondent No.1-State has filed status report, disclosing therein, the factual position, about the manner, in which, the FIR in question has been registered and criminal machinery swung into motion.

7. The person, who had put criminal machinery into motion, by making statement under Section 193 of BNSS, before the Police, i.e. respondent No. 2, has made a statement, on oath, about the manner, in which, he has lodged the FIR in question and factum of the compromise, which has been effected, between the parties, in order to maintain cordial relations between him, and the petitioner, as they want to maintain their cordial relations.

8. Lastly, respondent No. 2, in unequivocal terms, has deposed that he does not want to proceed further with the matter.

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

10. Heard.

11. Complainant/respondent No. 2 has categorically stated, in his statement, on oath, that the compromise has been effected between the parties, in order to maintain their cordial relations, in future.

12. In view of the compromise deed, Annexure P-2, which bears the signatures of petitioner, and respondent No. 2, respondent No. 2 does not want to proceed further with the case and has no objection, in case, the FIR in question, as well as, the proceedings resultant thereto, if any, are quashed and the present petition is allowed.

13. Moreover, when, the parties have settled the dispute with regard to FIR in question, then the compromise, which has been entered into between the parties, annexed with the petition as Annexure P-2, should be honoured by this Court, as no useful purpose would be served, by keeping the proceedings alive.

14. The primary purpose of law is to maintain peace in the society and when, the parties to the lis, i.e. petitioner, and respondent No.2, have buried all their disputes and compromised the matter, then, the continuation of the criminal proceedings, arising out of FIR in question, lodged by respondent No. 2, would certainly amount to abuse of the process of law. Acceptance of the compromise will also encourage the parties to live in the society with harmony and peace and to maintain their cordial relations.

15. Acceptance of the compromise would also save the precious time of the Police, as, the Police would be in a position to devote such time, for investigating other serious matters.

16. Considering all these facts, the present petition is allowed and FIR in question, as well as, proceedings consequent thereto, if any, are quashed.

17. The statements of the parties and the compromise, Annexure P-2, be read as part of the judgment.

18. Pending miscellaneous application(s), if any,
also stands disposed
of.

(Virender Singh)
Judge

November 3, 2025
Kalpana