IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

Cr. MMO No. 1099 of 2026
Decided on: 30.10.2026

Minakshi ...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. Munish Kumar, Advocate.

For the respondents: Mr. Prashant Sen, Deputy Advocate General, for respondent No.1-State.

Ms. Anuja Mehta, Advocate, for respondent No.2.

Chirag Bhanu Singh, Judge *(Oral)*

The petitioner has invoked the inherent jurisdiction of this Court under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), seeking the quashing of FIR No. 45 of 2024, dated 04.06.2024, registered at Police Station Anni, District Kullu, Himachal Pradesh, for offences punishable under Section 323 of the Indian Penal Code, 1860 (IPC) read with Sections 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015,

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along with all consequential proceedings arising thereto, currently pending before the Court of the learned Judicial Magistrate First Class, Anni, District Kullu, H.P.

2. The pith and substance of the petition is that the petitioner, who was working as a teacher of the minor child, came to be implicated in the aforementioned FIR.

3. However, during the pendency of the proceedings, the parents of the minor victim and the petitioner have amicably resolved the entire dispute amicably, voluntarily and without any coercion, undue influence, or pressure from any quarter.

4. On 15.10.2026, the father of the minor child/complainant appeared before this Court and categorically deposed that he has entered into a mutual compromise with the accused/petitioner of his own free will. He affirmed that the compromise deed, placed on record as Annexure P-3, bears his signature. He further stated that in view of the amicable settlement, he does not intend to proceed with the FIR lodged by him and has no objection whatsoever if the FIR as well as the consequential proceedings pending before the learned trial Court

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are quashed. The statement of the petitioner has also been recorded to the same effect.

5. In view of the aforesaid settlement arrived at between the parties, it is evident that no fruitful purpose would be served by keeping the criminal proceedings pending. It is more than apparent that the compromise also stands effected and in the aforesaid terms that too voluntarily. Both the parties vouch 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, civil partnership,

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matrimonial or family disputes, where the wrong is basically private or personal in nature may be given a quietus, exercising 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. 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 thus 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, this Court will be well within its

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jurisdiction to quash the criminal proceedings against the accused and it is ordered accordingly.

11. As a squeal of the FIR No. 45 of 2024, dated 04.06.2024, registered at Police Station Anni, District Kullu, Himachal Pradesh, for offences punishable under Section 323 of the Indian Penal Code, 1860 (IPC) read with Sections 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015, along with all consequential proceedings arising therefrom, currently pending before the Court of the learned Judicial Magistrate First Class, Anni, District Kullu, H.P., are hereby 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

30th October, 2026
(Shamsh Tabrez)

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