



IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr. MMO No. 194 of 2026

Reserved on: 14.5.2026

Date of Decision: 27.5.2026.

Dharmender Azad

... Petitioner

Versus

State of HP & ors.

... Respondents

Coram

Hon'ble Mr Justice Rakesh Kainthla, Judge.

Whether approved for reporting?¹ No.

For the Petitioner : Mr Aman Parth Sharma,
Advocate.

For Respondent No.1 to 3-State : Mr Ajit Sharma, Deputy
Advocate General.

For Respondent No.4 : Mr Rishab Negi, Advocate.

Rakesh Kainthla, Judge

The petitioner has filed the present petition for quashing of FIR No. 29 of 2025, dated 8.11.2025, registered at Women Police Station BCS, District Shimla, H.P., for the commission of offences punishable under Sections 78 and 79 of Bhartiya Nayaya Sanhita, 2023 (BNS) and Section 67A of the Information Technology Act, 2000 (IT Act) and consequential

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



proceedings arising out of the said FIR based on the compromise effected between the parties.

2. It has been asserted that the petitioner is a young student and he has realised the consequences of his act. He sought an apology from the informant, and the informant forgave him. The informant does not want to proceed further with the matter after the apology. Hence the petition.

3. Statement of the informant was recorded on 30.3.2026, in which she stated that she had entered into a compromise with the petitioner/accused voluntarily without any influence, and she had no objection in case the present FIR is ordered to be quashed as per the compromise effected between the parties.

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

5. The offence punishable under Section 79 of BNS is compoundable under Section 359 of the BNSS. The offence punishable under Section 78 of BNS corresponds to Section 354D of IPC. This Court has already quashed the FIR registered for the commission of an offence punishable under Section 354D of 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*. This Court has also quashed the F.I.R. under Section 67(A) of the IT Act in *Yuvraj Singh Vs. State of HP and anr. 2023 STPL 3185 HP* and *Vidya Devi Vs. State of HP and ors. 2022 STPL 13724 HP*. These judgments are binding on this Court.

6. Since the informant has forgiven the petitioner/accused, no fruitful purpose would be served by continuing with the criminal proceedings.

7. In view of these precedents, which are binding on this Court, the present petition is allowed and FIR No. 29 of 2025, dated 8.11.2025, registered at Women Police Station BCS, District Shimla, H.P., for the commission of offences punishable under Sections 78 and 79 of the BNS and Section 67A of the IT Act is ordered to be quashed. Consequent upon the quashing of FIR, criminal proceedings pending/initiated against the petitioner-accused in pursuance thereof are also ordered to be quashed.

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



9. 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

27th May, 2026
(Chander)