

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr. MMO No. 633 of 2025.

Reserved on: 02.03.2026.

Date of Decision: 24.03.2026.

Abhishek

...Petitioner

Versus

State of H.P. & Anr.

...Respondent

Coram

Hon'ble Mr Justice Rakesh Kainthla, Judge.

Whether approved for reporting?¹ No.

For the Petitioner : Mr Bodh Raj Thakur, Advocate.

For the Respondent(s) : Mr Lokinder Kutlehria, Addl.
A.G., for the respondent State.

Mr Subhash Chander,
Advocate, for respondent No.2.

Rakesh Kainthla, Judge

The petitioner has filed the present petition for quashing of FIR No. 125 of 2022, dated 09.10.2022, registered at Police Station Lambagaon, District Kangra, H.P., for the commission of an offence punishable under Section 435 of the Indian Penal Code (IPC) and consequential proceedings arising

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

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

2. It has been asserted that the parties have entered into a compromise with the intervention of respectable persons of the society. The informant and the petitioner are neighbours, and they want to maintain cordial relations with each other. Hence, the petition.

3. Statement of the informant Kuldeep Kharwal was recorded on 05.09.2025, in which he stated that he had not entered into any compromise, but he had been compensated for the loss sustained by him.

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

5. The informant has categorically stated that he had not entered into the compromise with the petitioner. He claimed that he had been compensated for the loss sustained by him, but that is no reason to quash the FIR registered against the accused. It was laid down by the Delhi High Court in *Shyam Singh v. State (NCT of Delhi)*, 2024 SCC OnLine Del 2581, that a crime cannot be wiped off by paying compensation. It was observed:

“It needs to be kept in perspective that criminal law is designed for achieving social control and regulate the conduct of individuals within society. Crime cannot be said to be wiped off merely because of the payment of compensation. The object also remains that serious offences should not be repeated by the offenders and the settlement does not further encourage the criminal acts or endanger the welfare of the society at large.”

6. Therefore, it is impermissible to quash the FIR because the informant has been compensated.

7. In view of the above, the present petition fails, and it is dismissed and so are pending miscellaneous applications, if any.

8. The observations made hereinbefore shall remain confined to the disposal of the present petition and will have no bearing whatsoever on the merits of the case.

(Rakesh Kainthla)
Judge

24 March, 2026
(jai)