

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL NO. _____ OF 2026
(Arising out of SLP (Crl.) No.12798/2025)**

BHARAT PATHANIA

Petitioner(s)

VERSUS

STATE OF HIMACHAL PRADESH & ORS.

Respondent(s)

O R D E R

1. Leave granted.
2. The High Court of Himachal Pradesh at Shimla by the judgment and order dated 23rd July, 2025 has refused to quash the proceedings arising out of FIR No. 93/2024 registered at Police Station Dharampur, District Mandi, Himachal Pradesh, under Sections 307, 323, 324, 452, 504, 506 IPC.
3. We have heard learned counsel appearing for the respective parties.
4. We are mindful that the commission of an offence inevitably implicate broader societal ramifications and invite a response grounded in deterrence. However, the exercise of judicial discretion must be guided by the circumstances of the case. Where a lawful resolution ensures the welfare of the wife and the child, the continuation of criminal proceedings may not always advance the ends of justice. In such cases, bringing the proceedings to a close may serve both individual and societal interests by encouraging responsibility and stability.
5. We are of the considered opinion that the criminal proceedings ought to be quashed, having regard to the peculiar facts and circumstances, in exercise of our power under Article 142 of the Constitution of India. We order accordingly.

6. Appellant is present in Court with his wife. He has submitted a written undertaking, which is taken on record and marked Exhibit 'X', assuring the Court that he will look after his wife and child "nicely" and "not harm them in any manner whatsoever".

7. We have briefly interacted with the appellant and explained to him the consequences he would likely suffer in case of breach of such undertaking. We record his assurance that he would honour the undertaking, without any breach.

8. We clarify that if, in future, there be any remissness/default/breach on the appellant's part to honour the undertaking and the same is brought to the notice of this Court by his wife or their child or any relative of the wife, the consequences may not be too palatable for the appellant.

9. The impugned judgment and order is set aside and the criminal appeal is, accordingly, allowed. Pending application(s), if any, stand disposed of.

10. We observe that this order shall not be cited as a precedent in future cases.

.....J.
(DIPANKAR DATTA)

.....J.
(SATISH CHANDRA SHARMA)

**NEW DELHI;
JANUARY 07, 2026.**

ITEM NO.32

COURT NO.8

SECTION II-C

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s). 12798/2025

[Arising out of impugned final judgment and order dated 23-07-2025 in CRMMO No. 442/2025 passed by the High Court of Himachal Pradesh at Shimla]

BHARAT PATHANIA

Petitioner(s)

VERSUS

STATE OF HIMACHAL PRADESH & ORS.

Respondent(s)

IA No. 205634/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

Date : 07-01-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPANKAR DATTA

HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

For Petitioner(s) :

Mr. Sukumar Patjoshi, Sr. Adv.
 Mr. Mohan Lal Sharma, AOR
 Mr. Jeevan Lal Sharma, Adv.
 Ms. Shikha Sharma, Adv.
 Ms. Raina Anand, Adv.

For Respondent(s) :

Mr. Satyajit Sarna, Adv.
 Ms. Anindita Mitra, AOR

Mr. Rakshit Rathi, Adv.
 Dr. Mrs. Vipin Gupta, AOR
 Mr. Krishna Kumar, Adv.
 Ms. Nandani Gupta, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Leave granted.
2. The appeal is dismissed in terms of the signed order.

3. Pending application(s), if any, stand disposed of.

(HARPREET KAUR)
COURT MASTER (SH)

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)

(Signed order with Exhibit 'X' is placed on the file)