

(2024) 12 UK CK 0123

In the Uttarakhand High Court

Case No : Criminal Writ Petition No. 1299 Of 2024

Akash Gangwar And Others

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 20-12-2024

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 3(5), 115, 190, 191(2), 191(3), 351(2), 351(3), 352

Constitution Of India, 1950 — Article 226

Citation : (2024) 12 UK CK 0123

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : D.N. Sharma, G.S. Sandhu, Deepak Bhardwaj, Manju Bahuguna, J.P. Pandey

Final Decision : Disposed Of

Judgement

Alok Kumar Verma, J

1. The present Petition has been filed under Article 226 of the Constitution of India to quash the First Information Report No. 130 of 2024, registered at police station Pantnagar, District Udham Singh Nagar under Sections 115, 190, 191(2) , 191(3), 3(5), 351(2), 351(3) and Section 352 of the Bharatiya Nyaya Sanhita, 2023.

2. Heard Mr. D.N. Sharma, learned counsel for petitioners- accused, Mr. G.S. Sandhu, learned Additional Advocate General assisted by Mr. Deepak Bhardwaj , learned Brief Holder for respondent nos. 1 & 2 and Ms. Manju Bahuguna, learned counsel with Mr. J.P. Pandey, learned counsel for respondent nos. 3 and 4.

3. The petitioner no. 4 - Dev Sagar, aged about 17 years, is present with his mother -Smt. Mamta Sagar. All the petitioners- accused are present in - person. All the petitioners- accused and Smt. Mamta Sagar are identified by Mr. D. N. Sharma, Advocate.

4. The respondent no. 3 - Vishnu Sagar, the informant, and, respondent no. 4 - Him anshu Kashyap, the injured, are present in - person. They are identified by Ms. Manju Bahuguna, Advocate.
5. The petitioners, respondent no. 3 and respondent no. 4 have submitted that there were private disputes between them and they have resolved their disputes and after resolving their disputes they have filed a Compounding Application with affidavits.
6. The respondent no. 3 and respondent no. 4 have submitted that they have compounded the offence with their free will and without any pressure. They have also requested to quash the First Information Report.
7. Mr. G.S. Sandhu, learned Additional Advocate General, has submitted that there were private disputes between the parties and they have resolved their disputes, therefore, the State has no objection to quash the First Information Report.
8. As a result, the impugned First Information Report No. 130 of 2024, registered at police station Pant nagar, District Udham Singh Nagar, is quashed.
9. The present Criminal Writ Petition (No. 1299 of 2024) is disposed of accordingly.