
(2018) 04 UK CK 0041

In the Uttarakhand High Court

Case No : Writ Petition (Crl.) No. 604 of 2018

AMARJEET AND OTHERS

APPELLANT

Vs

STATE OF UTTARAKHAND AND OTHERS

RESPONDENT

Date of Decision : 11-04-2018

Acts Referred:

Indian Penal Code, 1860 — Section 323, 324, 504, 506

Citation : (2018) 04 UK CK 0041

Hon'ble Judges : V.K. BIST, J

Bench : Single Bench

Advocate : Shivangi Gangwar, K.H. Gupta, Manoj Lakhchaura,

Final Decision : Disposed Off

Judgement

1. Defect No.1 has already been removed. As far as defect no.2 pointed out by the Registry is concerned, same is found incorrect, inasmuch as,

typed copies of the zerox copies of page nos.13, 14 & 16 are verified by the Oath Commissioner.

2. This petition has been filed by the petitioners for quashing the F.I.R. dated 05.4.2018 registered as FIR No.167 of 2018, under Section 504, 323,

324, 506 of IPC, Police Station Rudrapur, District Udham Singh Nagar. Further prayer has been made by the petitioners to issue a direction in the

nature of mandamus commanding the respondents not to arrest the petitioners in FIR No.167 of 2018, under Section 504, 323, 324 & 506 of IPC,

Police Station Rudrapur, District Udham Singh Nagar during the pendency of present petition. Alongwith this writ petition, joint compounding

application has also been filed by the parties.Â In support of compounding application, affidavits have been filed by Mr. Amarjeet, Rahul, Akash &

Ram Kishore (petitioners), Mrs. Ramwati (respondent no.3/complainant), Mr.

Rinku (respondent no.4/victim) and Mr. Bhagwan Das (respondent no.5/victim). It is submitted by the learned counsel for the parties that the parties have entered into the compromise and the matter has been amicably settled between them and the respondent nos.3 to 5 do not want to press their case filed against the petitioners. It is prayed that the offences punishable under Section 504, 323, 324 & 506 of I.P.C., arising out of F.I.R. No.167 of 2018 dated 05.4.2018, registered at Police Station Rudrapur, District Udham Singh Nagar, may be compounded and the entire proceedings of the said F.I.R. may be quashed.Â

3. Respondent no.3 lodged an FIR against the petitioners alleging therein that on 27.3.2018, the accused petitioners abused and assaulted the respondent no.4 & 5.

4. Petitioners and respondent nos.3, 4 & 5 are present in the Court today and they are duly identified by their respective counsel.Â

5. Learned counsel for the respondent no.3 to 5 submitted that dispute between the parties have now been settled amicably and they are left with no grudges and, now, they want to live peacefully in future.Â Â

6. In view of the principle of law laid down by Honâ??ble the Apex Court in the case of Gian Singh vs.State of Punjab reported in 2012 (10) SCC

303 as well as in Transfer Petition (Criminal) No. 115 of 2012 (Dimpey Gujral vs. Union Territory of Chandigarh) decided on 06.12.2012, criminal

proceedings can be quashed by this Court, if this Court is satisfied that matter has been settled between the parties amicably and parties are interested to restore peace and harmony between them.Â

7. Having considered submission of learned counsel for the parties and after going through the entire material available on record, I am satisfied that the matter has been settled between the parties amicably.Â Therefore, the writ petition deserves to be allowed.Â

8. Accordingly, the writ petition is allowed. Impugned F.I.R. dated 05.4.2018, arising out of FIR No.167 of 2018, under Section 504, 323, 324 & 506 of

I.P.C., registered at Police Station Rudrapur, District Udham Singh Nagar, is hereby quashed, so far it relates to the petitioners.

9. Compounding application is, accordingly, disposed of.Â