
(2022) 06 UK CK 0034

In the Uttarakhand High Court

Case No : Criminal Miscellaneous Application No. 629 Of 2022

Daleep Singh And Seven Others

APPELLANT

Vs

State Of Uttarakhand And Another

RESPONDENT

Date of Decision : 09-06-2022

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482

Indian Penal Code, 1860 — Section 147, 323, 325, 504, 506

Citation : (2022) 06 UK CK 0034

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Mohd. Azmeen, S.S. Adhikari, Naveen Singh Bisht

Final Decision : Disposed Of

Judgement

Alok Kumar Verma, J

1. The applicants – accused persons have invoked the inherent jurisdiction of this Court under Section 482 of the Code of Criminal Procedure, 1973, to quash the charge-sheet dated 28.09.2020, cognizance/ summoning order dated 25.01.2022 and the entire proceedings of Criminal Case No.269 of 2022, "State vs. Daleep Singh and Others", pending before the court of Judicial Magistrate Jaspur, District Udham Singh Nagar.

2. After completion of the investigation, the charge-sheet was filed. The learned trial court took the cognizance and passed the impugned summoning order against the applicant – appellant Daleep Singh for the offence under Sections 147, 323, 325, 504 and 506 of IPC. The impugned summoning order has been passed against the applicants – accused persons Ramballabh, Rajendra Singh, Suraj Singh and Sandeep Kumar for the offence under Sections 147, 323, 504 and 506 of IPC. The impugned summoning order has been passed against the applicants – accused persons Naresh, Smt. Suman and Smt. Rajbala Devi for the offence under Sections 147 and 504 of IPC.

3. Heard Mr. Mohd. Azmeen, learned counsel for the applicants, Mr. S. S. Adhikari, learned Deputy Advocate General for the State and Mr. Naveen Singh Bisht, learned counsel for the respondent nos.2, 3 and 4/ informant/victims.
4. In compliance of the order dated 18.05.2022, all the applicants and the respondent no.2 Ghanshyam Singh, informant, the respondent no.3 Sukhveer Singh, injured, the respondent no.4 Jeeva Ram, injured, Naresh Singh, injured and Bunty, injured are present through video conferencing.
5. All the applicants – accused persons are identified by Mr. Mohd. Azmeen, Advocate.
6. The informant and all the injured persons are identified by Mr. Naveen Singh Bisht, Advocate.
7. All the applicants, informant and all the injured persons submitted that they have resolved their disputes and after resolving their disputes they have filed a joint Compounding Application (IA No.01 of 2022) along with affidavits with their free and without any pressure. The informant and all the injured persons further submitted that they do not want to proceed with the said criminal case.
8. The learned counsel for the State submitted that there were private disputes between the parties and they have resolved their disputes, therefore, the State has no objection.
9. Keeping in view of the totality of the facts and circumstances of the case, this Court is of the view that ends of justice would be met, if the impugned charge-sheet dated 28.09.2020, cognizance/ summoning order dated 25.01.2022 and the entire proceedings of Criminal Case No.269 of 2022, "State vs. Daleep Singh and Others", pending before the court of Judicial Magistrate Jaspur, District Udham Singh Nagar, are quashed.
10. Resultantly, the charge-sheet dated 28.09.2020, cognizance/ summoning order dated 25.01.2022 and the entire proceedings of Criminal Case No.269 of 2022, "State vs. Daleep Singh and Others", pending before the court of Judicial Magistrate Jaspur, District Udham Singh Nagar, are quashed.
11. The Criminal Miscellaneous Application No.629 of 2022, filed under Section 482 of the Code of Criminal Procedure, is disposed of accordingly.