
(2024) 01 UK CK 0103

In the Uttarakhand High Court

Case No : Criminal Miscellaneous Application No. 108 Of 2024

Firasat Ali Alias Babu And Three Others

APPELLANT

Vs

State Of Uttarakhand And Five Others

RESPONDENT

Date of Decision : 18-01-2024

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482

Indian Penal Code, 1860 — Section 323, 325, 354, 504, 506

Citation : (2024) 01 UK CK 0103

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Mohit kumar Kashyap, S.C. Dumka, Meenu Kashyap

Final Decision : Allowed

Judgement

Alok Kumar Verma, J

1. The present Application has been filed under Section 482 of the Code of Criminal Procedure, 1973 to quash the entire proceedings of Criminal Case No.195 of 2022, "State vs. Firasat alias Babu and Others", pending before the court of Judicial Magistrate, Jaspur, District Udham Singh Nagar.

2. Upon conclusion of the investigation, a charge-sheet was filed by the Investigating Officer.

3. Learned Trial Court has taken cognizance of the offence against the applicant no.1 – Firasat Ali alias Babu and applicant no.2 Mohd. Imran under Sections 323, 504 and 506 IPC, against the applicant no.3 Sarfaraz Ahmed under Sections 504, 506 IPC, and, against the applicant no.4 Saleem under Sections 354, 325, 504 and 506 IPC.

4. All the applicants are present in-person.

5. The respondent no.2, the informant and the victim, and, respondent nos. 3 to 6, the victims, are present in-person.

6. Mr. Mohit Kumar Kashyap, Advocate, for the applicants.
7. Mr. S.C. Dumka, learned AGA for the State.
8. Ms. Meenu Kashyap, Advocate, for the respondent nos.2 to 6.
9. Applicants have been identified by Mr. Mohit Kumar Kashyap, Advocate. Respondent nos.2 to 6 are identified by Ms. Meenu Kashyap, Advocate.
10. Both, applicants and the respondent nos.2 to 6 submitted that they have resolved their private disputes and after resolving their disputes, a Compounding Application (IA No.02 of 2024) along with affidavits with their free will and without any pressure have been filed. They have requested to decide the present matter on the basis of the compromise.
11. The said submissions of the applicants and the private respondents have not been opposed by the State.
12. In view of the above, if the proceedings are allowed to continue, it would amount to denial of complete justice to the parties. Therefore, it is a fit case, in which, the inherent jurisdiction of this Court should be exercised to do real and substantial justice.
13. Consequently, the present Application (No.108 of 2024), filed under Section 482 of the Code of Criminal Procedure, 1973, is allowed. The entire proceedings of Criminal Case No.195 of 2022, "State vs. Firasat alias Babu and Others", pending before the court of Judicial Magistrate, Jaspur, District Udham Singh Nagar, are quashed.