
(2025) 06 UK CK 0493

In the Uttarakhand High Court

Case No : Criminal Miscellaneous Application No. 1554 Of 2016

Gurmeet Singh And Another

APPELLANT

Vs

State Of Uttarakhand And Another

RESPONDENT

Date of Decision : 13-06-2025

Acts Referred:

Indian Penal Code, 1860 — Section 324

Scheduled Castes And Scheduled Tribes (Prevention Of Atrocities) Act, 1989 — Section 3(1)(10)

Citation : (2025) 06 UK CK 0493

Hon'ble Judges : Alok Mahra J

Bench : Single Bench

Advocate : T.P.S. Takuli, Tumul Nainwal, Pradeep Chamyal

Final Decision : Disposed Of

Judgement

Alok Mahra J

1. Heard learned counsel for the applicants, learned counsel for the State as well as learned counsel for respondent no.2.

2. By means of the present misc. application the applicants seek to quash the charge sheet no.29 of 2016, summoning order dated 29.07.2016 and subsequently the order dated 30.08.2016 passed by the Civil Judge (J.D.)/ Judicial Magistrate, Khatima, District Udham Singh Nagar in Criminal Case No.1365 of 2016, pursuant to the FIR No.34 of 2016, under Section 324 of IPC and Section 3 (1) (10) of S.C./S.T. Act., pending in the court of Civil Judge (J.D.)/ Judicial Magistrate, Khatima, District Udham Singh Nagar on the basis of compromise between the parties.

3. Compounding application (CRMA/1847/2016) is also filed in the matter wherein it is prayed to compound the offence between the parties under Section 324 of IPC and Section 3 (1) (10) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

4. Parties are present before this Court today and duly identified by their respective counsels. Parties have also filed their respective affidavits stating the above fact of compromise between them.

5. Learned State Counsel has formally opposed the compounding application.

6. However, the Hon'ble Apex Court in the case of Ramgopal and Another Vs. State of Madhya Pradesh reported in (2022) 14 S.C.C., Page 531, has permitted compounding of non-compoundable offences with the permission of Court even relating to the SC&ST Act. On perusal of the compounding application it has come out that the alleged offence was not committed on account of the caste of the victim.

7. Following the aforesaid ratio, present compounding application is allowed. The offences between the parties are permitted to be compounded. As a result, the charge sheet no.29 of 2016, summoning order dated 29.07.2016 and subsequently the order dated 30.08.2016 passed by the Civil Judge (J.D.)/ Judicial Magistrate, Khatima, District Udham Singh Nagar in Criminal Case No.1365 of 2016, pursuant to the FIR No.34 of 2016, under Section 324 of IPC and Section 3 (1) (10) of S.C./S.T. Act., pending in the court of Civil Judge (J.D.)/ Judicial Magistrate, Khatima, District Udham Singh Nagar, are hereby quashed qua the applicants.

8. C528 application stands disposed of in the aforesaid terms.

9. Pending application, if any, also stands disposed of.