
(2022) 05 UK CK 0011

In the Uttarakhand High Court

Case No : Criminal Writ Petition No. 838 Of 2022

Ikrar And Others

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 06-05-2022

Acts Referred:

Indian Penal Code, 1860 — Section 147, 323, 504, 506
Constitution Of India, 1950 — Article 226

Citation : (2022) 05 UK CK 0011

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Abhishek Verma, Pratiroop Pandey, Mehboob Rahi

Final Decision : Disposed Of

Judgement

Alok Kumar Verma, J

1. This Criminal Writ Petition has been filed under Article 226 of the Constitution of India to issue a writ of certiorari to quash the impugned First Information Report No.148 of 2022, registered with Police Station I.T.I. Kashipur, District Udham Singh Nagar for the offence under Sections 147, 323, 504 & 506 of IPC.
2. Heard Mr. Abhishek Verma, the learned counsel for the petitioners, Mr. Pratiroop Pandey, the learned AGA for the State/respondent nos.1 and 2 and Mr. Mehboob Rahi, the learned counsel for the private respondent no.3.
3. The learned counsel for the State submitted that according to the instructions received from the Investigating Officer, all the four petitioners, namely, Ikrar, Shahrukh alias Nanha, Saddam and Gulam Fareed are wanted in this matter.
4. The respondent no.3, Akhilesh Kumar Bansal, informant, Usman, Naheed and Susheel, injured persons are present in person before the Court and they are identified by Mr. Mehboob Rahi, Advocate.
5. All the four petitioners are present before the Court and they are identified by

Mr. Abhishek Verma, Advocate.

6. Akhilesh Kumar Bansal, the respondent no.3, all the three injured persons and the petitioners submitted that there were private disputes between them and the said disputes have been resolved by them. The respondent no.3 and all the three injured persons submitted that they do not want to proceed against the petitioners. The private respondent no.3, all the three injured persons and the petitioners further submitted that they have filed a Joint Compounding Application along with affidavits with their free will and without any pressure.

7. The learned counsel for the State submitted that the State has no objection.

8. 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 First Information Report No.148 of 2022, registered with Police Station I.T.I. Kashipur, District Udham Singh Nagar for the offence under Sections 147, 323, 504 & 506 of IPC, is quashed qua the petitioners only.

9. Resultantly, the impugned First Information Report No.148 of 2022, registered with Police Station I.T.I. Kashipur, District Udham Singh Nagar for the offence under Sections 147, 323, 504 & 506 of IPC, is hereby quashed qua the petitioners only.

10. The Criminal Writ Petition No.838 of 2022 stands disposed of, accordingly.