

(2018) 05 UK CK 0008

In the Uttarakhand High Court

Case No : Writ Petition (Crl.) No. 559 of 2018 with CLMA No. 4090 of 2018
(Compounding Application)

JASBIR SINGH ALIAS PICCHU

APPELLANT

Vs

STATE OF UTTARAKHAND AND OTHERS

RESPONDENT

Date of Decision : 02-05-2018

Acts Referred:

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

Citation : (2018) 05 UK CK 0008

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

Bench : Single Bench

Advocate : D.N. Sharma, Pramod Tiwari, Mohit Kumar

Final Decision : Disposed Off

Judgement

1. This petition has been filed by the petitioner for quashing the F.I.R. dated 14.2.2018, registered as FIR No.36 of 2018, under Section 323, 504 &

506 of IPC, Police Station Gadarpur, District U.S. Nagar on the ground that the dispute has been amicably settled between the parties and the offence

has been compounded. 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. Jasbir Singh @ Pichuu (petitioner), Smt. Surjeet Kaur (victim) and Mr. Kawal Singh (complainant).Â 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 no.3 does not want to press his case filed against the petitioner. It is prayed that the offences punishable under Section 323,

504 & 506 I.P.C., arising out of F.I.R. dated 14.2.2018, registered as FIR No.36 of 2018, registered at Police Station Gadarpur, District Udham Singh

Nagar, may be compounded and the entire proceedings of the said F.I.R. may be quashed.Â

2. Petitioner, complainant (respondent no.3) and victim are present in the Court today and they are duly identified by their respective counsel.

Petitioner, complainant & victim categorically stated that due to some differences and misunderstanding between the families a hot exchange took place among the petitioner, respondent no.3 and victim.Â

3. Learned counsel for the respondent no.3 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

4. 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

5. 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

6. Accordingly, the writ petition is allowed. Impugned F.I.R. dated 14.2.2018, registered as FIR No.36 of 2018, under Section 323, 504 & 506 of

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

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