
(2022) 07 UK CK 0126

In the Uttarakhand High Court

Case No : Criminal Miscellaneous Application No. 1268 Of 2022

Lal Khan And Others

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 25-07-2022

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482

Indian Penal Code, 1860 — Section 147, 148, 149, 323, 504, 506

Citation : (2022) 07 UK CK 0126

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Sachin, V.S. Rathore, Manoj Bhatt

Final Decision : Disposed Of

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. 6320 of 2016, "State vs. Lal Khan and Others", pending before the Court of Chief Judicial Magistrate, Udham Singh Nagar.

2. After completion of the investigation, the charge-sheet was filed. The trial court took the cognizance and passed the summoning order under Sections 147, 148, 149, 323, 504, 506 I.P.C. against the applicants – accused persons.

3. Heard Mr. Sachin, the learned counsel for the applicants, Mr. V.S. Rathore, the learned A.G.A. for the State and Mr. Manoj Bhatt, the learned counsel for the private respondent no.3.

4. All the applicants, namely, Lal Khan, Man Khan, Raj Khan, Bali Jaan Shaha, Nanhe Khan and Karamat Ali, are present in-person before this Court and they are identified by Mr. Sachin, Advocate.

5. The respondent no. 3–Mohd. Yaar Khan, informant, and all the four victims,

namely, Jahid Khan, Yaseen Khan, Tasleem Khan and Mohd. Sayeed Khan are present in-person before this Court and they are identified by Mr. Manoj Bhatt, Advocate.

6. All the applicants, the informant, and the victims submitted that there were private disputes between them and the said disputes have been resolved by them. They further submitted that they are neighbors and after resolving their disputes, they are living in peace and harmony. They submitted that they have filed a joint compounding application along with their affidavits.

7. The informant and all the victims submitted that they have filed their affidavits with their free will and without any pressure and they do not want to proceed with the said criminal case against the applicants- accused persons.

8. The learned counsel for the State submitted that there were private disputes between the parties and they have resolved their disputes.

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 entire proceedings of Criminal Case No. 6320 of 2016, "State vs. Lal Khan and Others", pending before the Court of Chief Judicial Magistrate, Udham Singh Nagar, are quashed.

10. Resultantly, the entire proceedings of Criminal Case No. 6320 of 2016, "State vs. Lal Khan and Others", pending before the Court of Chief Judicial Magistrate, Udham Singh Nagar, are quashed.

11. The Criminal Miscellaneous Application (No. 1268 of 2022), filed under Section 482 of the Code of Criminal Procedure, is disposed of accordingly.