

(2024) 01 UK CK 0102

In the Uttarakhand High Court

Case No : Criminal Miscellaneous Application No. 107 Of 2024 (Under Section 482 Of Cr.P.C.)

Nasir Khan And Others

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 18-01-2024

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482

Indian Penal Code, 1860 — Section 147, 148, 323, 324, 504, 506

Citation : (2024) 01 UK CK 0102

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Meenu Kashyap, S.C. Dumka, Mohit Kumar 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. 553 of 2020, "State vs. Nasir Khan and Others", pending before the Court of Judicial Magistrate, Jaspur, District Udham Singh Nagar under Sections 147, 148, 323, 324, 504 and Section 506 of the Indian Penal Code, 1860.
2. All the six applicants-accused persons are present in person before this Court.
3. The respondent no. 2, informant, and respondent no. 3, injured, are present in person.
4. Ms. Meenu Kashyap, Advocate for the applicants, Mr. S.C. Dumka, A.G.A. and Mr. Mohit Kumar Kashyap, Advocate for respondent no. 2 and respondent no. 3.
5. The applicants are identified by Ms. Meenu Kashyap, Advocate.
6. The respondent no. 2 and respondent no. 3 are identified by Mr. Mohit Kumar Kashyap, Advocate.

7. Both, the applicants and the private respondents have submitted that there were disputes between the parties and they have resolved their disputes and after resolving their disputes they are living in peace and harmony. They have filed a Compounding Application along with affidavits with their free will and without any pressure.

8. Applicants and the private respondents have requested to decide the present matter on the basis of the compromise.

9. Learned A.G.A. for the State submitted that there were private disputes between the parties and they have resolved their disputes, therefore, the State has no objection to decide the present matter on the basis of the compromise.

10. 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.

11. Consequently, the present application, filed under Section 482 of the Code of Criminal Procedure, 1973, is allowed.

12. The entire proceedings of the said Criminal Case No 553 of 2020, pending before the Court of Judicial Magistrate, Jaspur, District Udham Singh Nagar, are quashed.