
(2017) 04 UK CK 0016
In the Uttarakhand High Court
Case No : 493 of 2017

Navdeep Singh Kang & others.

APPELLANT

Vs

State of Uttarakhand & others.

RESPONDENT

Date of Decision : 11-04-2017

Acts Referred:

[Indian Penal Code, 1860](#), [Section 147](#), [Section 307](#), [Section 323](#), [Section 148](#), [Section 506](#), [Section 149](#), [Section 384](#) - Punishment for rioting - Attempt to murder - Punishment for voluntarily causing hurt - Rioting, armed with deadly weapon - Punishment for criminal intimidation - Every member of unlawful assembly guilty of offence committed in prosecution of common object - Punishment for extortion

Citation : (2017) 04 UK CK 0016

Hon'ble Judges : V.K. Bist

Bench : Single Bench

Advocate : Vikas Anand, ?Hari Om Bhakuni, ?Milind Raj, ?Pratiroop Pandey

Final Decision : Disposed

Judgement

1. This petition has been filed by the petitioners for quashing the F.I.R. dated 08.08.2016, bearing Case Crime No. 228 of 2016, under Section 147, 148, 149, 307, 323, 384 & 506 I.P.C., registered at Police Station Bazpur, District Udham Singh Nagar. Alongwith this writ petition, joint compounding application has also been filed by the petitioners and respondent no. 3. In support of compounding application, affidavits have been filed by Mr. Navdeep Singh Kang (petitioner no. 1) and Mr. Mahendra Singh (respondent no.3). 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 petitioners. It is prayed that the offences punishable under Section 147, 148, 149, 307, 323, 384 & 506 I.P.C., arising out of F.I.R. dated 08.08.2016, bearing Case Crime No. 228 of 2016, may be compounded and the entire proceedings of F.I.R. dated 08.08.2016, under

Section 147, 148, 149, 307, 323, 384 & 506 I.P.C., registered at Police Station Bazpur, District Udham Singh Nagar, may be quashed.

2. Parties are present in the Court today and they are duly identified by their respective counsel.

3. Learned counsel for the petitioners submitted that this is a no injury case and the parties are relatives and they have settled their dispute and, now, they want to live peacefully in future.

4. Mr. Mahendra Singh (respondent no.3) appeared before me and submitted that the impugned F.I.R. was lodged by him against the petitioners due to local politics. He submitted that now the matter has been settled amicably and he does not want to prosecute the petitioners.

5. In view of the principle of law laid down by Hon'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 (Dimpley 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.

6. Having considered submission of learned counsel for the parties and after going through the entire material available on record and also considering the statement of respondent no. 3 that the impugned F.I.R. was lodged against the petitioners due to local politics, I am satisfied that the matter has been settled between the parties amicably. Therefore, the writ petition deserves to be allowed.

7. Accordingly, the writ petition is allowed. Impugned F.I.R. dated 08.08.2016, bearing Case Crime No. 228 of 2016, under Section 147, 148, 149, 307, 323, 384 & 506 I.P.C., registered at Police Station Bazpur, District Udham Singh Nagar, is hereby quashed.

8. Compounding application is, accordingly, disposed of.