

(2023) 09 UK CK 0022

In the Uttarakhand High Court

Case No : Writ Petition (Criminal) No. 1243 Of 2023

Rajkishore And Others

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 06-09-2023

Acts Referred:

Indian Penal Code, 1860 — Section 307, 323, 341, 504, 506

Citation : (2023) 09 UK CK 0022

Hon'ble Judges : Ravindra Maithani, J

Bench : Single Bench

Advocate : Mohd. Safdar, Amit Bhatt, Faizan Ali

Final Decision : Allowed

Judgement

Ravindra Maithani, J

1. The petitioners seek quashing of FIR/Case Crime No. 352 of 2023, under Sections 307, 323, 341, 504 and 506 IPC, Police Station Ranipur, District Haridwar, on the basis of amicable settlement between the parties.
2. A Joint Compounding Application No. 1 of 2023 has been filed by petitioners and the respondent no.3 and 4 along with the affidavits
3. The matter was taken up on 04.09.2022, when learned counsel for the petitioner gave a statement that offence under Section 307 IPC has been deleted and now the investigation is not pending against the petitioners under Section 307 IPC.
4. Today, learned State counsel would submit that the investigation is underway under Section 323, 341, 504 and 506 IPC.
5. Heard learned counsel for the parties and perused the record.
6. According to the FIR, on 09.08.2023, at 4:00 in the evening, when the respondent no.4, injured was returning to his house, he was attacked by the

petitioners and beaten up mercilessly. A report was lodged by his father.

7. The petitioners and the respondent no.3, the informant and the respondent no.4 the injured have joined the proceedings through video conferencing duly identified by their respective counsel. The petitioners as well as the respondent no.3 informant and the respondent no.4, the injured have accepted the compromise.

8. Learned counsel for parties would submit that they have amicably settled the dispute. The Court particularly asked the respondent no.3, the informant and respondent no.4, the injured, they would submit that they do not want to prosecute the case any further.

9. Having considered, this Court is of the view that this petition may be decided on the basis of amicable settlement between the parties. Accordingly, the writ petition deserves to be allowed.

10. Accordingly, the writ petition is allowed. FIR/Case Crime No. 352 of 2023, under Sections 323, 341, 504 and 506 IPC, Police Station Ranipur, District Haridwar is quashed.

11. Compounding Application No. 1 of 2023 stands disposed of accordingly.