
(2017) 03 UK CK 0028
In the Uttarakhand High Court
Case No : 308 of 2017

RAKESH KUMAR AND THREE OTHERS	APPELLANT
Vs	
STATE OF UTTARAKHAND AND OTHERS	RESPONDENT

Date of Decision : 08-03-2017

Acts Referred:

[Code of Criminal Procedure, 1973](#), [Section 320](#) - Compounding of offences
[Indian Penal Code, 1860](#), [Section 120B](#), [Section 420](#), [Section 468](#), [Section 471](#), [Section 467](#), [Section 448](#), [Section 511](#) - Punishment of criminal conspiracy - Cheating and dishonestly inducing delivery of property - Forgery for purpose of cheating - Using as genuine a forged document - Forgery of valuable security, will, etc - Punishment for house-trespass - Punishment for attempting to commit offences punishable with imprisonment for life or other imprisonment

Citation : (2017) 03 UK CK 0028

Hon'ble Judges : U C Dhyani

Bench : Single Bench

Advocate : Rajat Mittal, Vikas Bahuguna, Milind Raj, Prem Kaushal, V S Mehra, Shailendra Nauriyal

Final Decision : Disposed

Judgement

1. The writ petitioners, by means of present Writ Petition, seek to quash the impugned FIR dated 02.04.2016 being Case Crime No. 183 of 2016, under Sections 420, 467, 468, 471, 448, 511 and 120B of IPC, lodged by respondent no. 3 at PS Kotwali Nagar, District Haridwar (Annexure No.1).

2. A first information report was lodged by respondent no. 3 against the writ petitioners for the offences punishable under Sections 420, 467, 468, 471, 448, 511 and 120B of IPC. Compounding application being CRMA No. 2146 of 2017 has been filed by the parties to indicate that they have buried their differences and have settled their disputes amicably. Complainant Vijay Kumar Aggarwal is

present in person before this Court, duly identified by her counsel Mr. Shailendera Nauriyal, Advocate. All the petitioners are also present in person, duly identified by their counsel Mr. Rajat Mittal, Advocate. Victim Vijay Kumar Aggarwal submitted before this Court that he has no grievance left against the writ petitioners and he is no more interested in prosecuting the petitioners, in as much as, the dispute has been settled amicably between the parties with the intervention of some elderly persons of the society. In other words, respondent no. 3 (the person aggrieved) has exonerated the present petitioners.

3. Most of the offences complained of against the petitioners are non-compoundable offences within the Scheme of Section 320 Cr. P.C. The question which arises for consideration of this Court is- Rakesh Kumar And Others vs State Of Uttarakhand And Others on 8 March, 2017