

(2020) 06 UK CK 0007

In the Uttarakhand High Court

Case No : Compounding Application No. 3666 Of 2020 In Criminal Writ Petition
No. 743 Of 2020

Sarjeet Singh And Others

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision : 10-06-2020

Acts Referred:

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

Citation : (2020) 06 UK CK 0007

Hon'ble Judges : Lok Pal Singh, J

Bench : Single Bench

Advocate : Abhishek Verma, P.S. Bohra, Siddhartha Bisht, Shivangi Gangwar,
Preeta Bhatt, Rajendra Singh Negi

Final Decision : Disposed Of

Judgement

Lok Pal Singh, J

1. The present Criminal Writ Petition has been filed seeking a writ in the nature of certiorari quashing the FIR dated 15.05.2020 registered as FIR No.236 of 2020, under Sections 323, 504 & 506 of IPC at R.O.P. Kundeshwari, Police Station Kashipur, District Udham Singh Nagar.

2. The parties have filed the compounding application. It is contended that the petitioners as well as respondent no.3 are residing at the same locality and now respondent no.3 does not want to prosecute the petitioners and has reached into amicable settlement with the petitioners.

3. Having considered the facts of the present case that the allegations made in the FIR are general in nature and no serious offence is made out against the petitioners. So far, the offence under Sections 323, 504 and 506 of IPC are concerned, these are the compoundable offences.

4. It is further contended in the compounding application that the parties have

settled their disputes amicably and prayed that the compounding application be allowed in the light of the Hon'ble Apex Court's Judgments in the case of Gian Singh Vs. State of Punjab [(2010) 10 SCC 303] and in Dimpey Gujral Vs. Union Territory.

5. It will be a futile exercise, if proceedings of the criminal case against the petitioners are kept pending when the parties have settled their disputes amicably.

6. The Compounding Application (CLMA No.3666 of 2020) is allowed. As a consequence thereof, the FIR dated 15.05.2020 registered as FIR No.236 of 2020, under Sections 323, 504 & 506 of IPC at R.O.P. Kundeshwari, Police Station Kashipur, District Udham Singh Nagar, are hereby quashed.

7. Proceedings are closed.