
(2023) 12 UK CK 0166

In the Uttarakhand High Court

Case No : Criminal Writ Petition No. 1621 Of 2023, Compounding Application IA No. 1 Of 2023

Shane Alam And Others

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 26-12-2023

Acts Referred:

Indian Penal Code, 1860 — Section 380

Citation : (2023) 12 UK CK 0166

Hon'ble Judges : Ravindra Maithani, J

Bench : Single Bench

Advocate : D.P. Mittal, Amit Bhatt, Sachin Kumar Sharma

Final Decision : Allowed/ Disposed Of

Judgement

Ravindra Maithani, J

1. The petitioners-Shane Alam, Israr and Mohd. Javed seek quashing of the FIR No.465 of 2023, under Section 380 IPC, Police Station Jaspur, District-Udham Singh Nagar, on the basis of amicable settlement between the parties. A joint compounding application has been filed along with the affidavits.
2. Heard learned counsel for the parties and perused the record.
3. According to the FIR, the battery of inverter and some other items of the informant's house were stolen.
4. Learned counsel for the parties would submit that parties have settled the dispute amicably. The petitioner nos. 2 and 3 are in jail.
5. The petitioners and the informant joined the proceedings through video conferencing, as identified by their respective counsel. In fact, petitioner nos. 2 and 3 are in judicial custody. They joined the proceedings through Sub-Jail Haldwani, District Nainital. They have accepted the compromise.

6. Having considered all the attending factors, this Court is of the view that it is a case, which may be decided on the basis of amicable settlement between the parties. Accordingly, the petition deserves to be allowed.

7. Accordingly, the petition is allowed. The FIR No.465 of 2023, under Section 380 IPC, Police Station Jaspur, District- Udham Singh Nagar, is hereby quashed.

8. The petitioner nos. 2 and 3, Israr and Mohd. Javed, are in jail. They be released forthwith, if not wanted in any other case.

9. Compounding Application No. 01 of 2023 stands disposed of, accordingly.