
(2018) 07 UK CK 0009

In the Uttarakhand High Court

Case No : Criminal Writ Petition No. 1224 of 2018

Shaukeen & others

APPELLANT

Vs

State of Uttarakhand & Others

RESPONDENT

Date of Decision : 03-07-2018

Acts Referred:

Indian Penal Code, 1860 — Section 147, 323, 326, 452, 504, 506

Citation : (2018) 07 UK CK 0009

Hon'ble Judges : LOK PAL SINGH, J

Bench : Single Bench

Advocate : Mohd. Safdar, Siddharth Srivastava, Bilal Admed

Final Decision : Allowed

Judgement

Lok Pal Singh, J.

1. This petition has been filed by the petitioners for quashing the F.I.R. dated 12.12.2017, bearing case crime No. 289 of 2017, under Sections 147,

323, 504, 506, 452, 326 of I.P.C., registered at Police Station Pathri District Haridwar. Alongwith this writ petition, a joint compounding application has

also been filed by the parties. In support of compounding application, affidavits have been filed by Mr. Ayyub (petitioner no. 5), Mr.

Munfai(respondent no. 3), Mr. Ekhlakh (respondent no. 4), Mr. Ansar(respondent no. 5) and Mr. Mehatab respondent no. 6),. 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 as all the

accused and complainant are co-relatives and the respondent no. 3 does not want to press his case filed against the petitioners. It is prayed that the

offences punishable under Sections 147, 323, 504, 506, 452, 326 of I.P.C., arising out of F.I.R. dated 12.12.2017, bearing case crime No. 289 of 2017,

registered at Pathri District Haridwar, may be compounded and the entire proceedings of the said F.I.R. may be quashed.

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2. Parties are present in the Court today except Mr. Ansar (respondent no. 5) and they are duly identified by their respective counsel.

3. Learned counsel for the respondent no. 3 submitted that dispute between the parties has now been settled amicably and they are left with no

grudges and, now, they want to live peacefully in future.

4. In view of the principle of law laid down by Honâ??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 (Dimpey 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.

5. Having considered submission of learned counsel for the parties and after going through the entire material available on record, 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 12.12.2017, bearing F.I.R. No. 289 of 2017, under Sections 147, 323, 504, 506, 452,

326 of I.P.C., registered at Police Pathri District Haridwar, is hereby quashed.

8. Compounding application (CLMA No. 9273 of 2018) is, accordingly, disposed of.