
(2020) 06 UK CK 0023

In the Uttarakhand High Court

Case No : Compounding Application No. 3789 Of 2020 In Criminal Writ Petition
No. 764 Of 2020

Vinay Pathak @ Vicky Pathak

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision : 16-06-2020

Acts Referred:

Indian Penal Code, 1860 — Section 147, 148, 323, 504, 506

Citation : (2020) 06 UK CK 0023

Hon'ble Judges : Lok Pal Singh, J

Bench : Single Bench

Advocate : Dushyant Mainali, P.S. Bohra, Siddhartha Bisht, Shivangi Gangwar,
Preeta Bhatt, Neeraj Tiwari

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 impugned FIR No.0142 dated 18.05.2020,

under Sections 147/148/323/504/506 of IPC at P.S. Lal Kuan, District Nainital.

2. The parties have filed the compounding application. It is contended that the petitioner as well as complainants are residing at the same locality and

now the complainants do not want to prosecute the petitioner and have reached into amicable settlement with the petitioner.

3. Having considered the facts of the present case that the allegations made in the FIR are general in nature, no offence under Sections 147 and 148 is

made out against the petitioner. 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 Honâ??ble Apex Courtâ??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 petitioner are kept pending when the parties have settled their disputes amicably.

6. The Compounding Application (CLMA No.3789 of 2020) is allowed. As a consequence thereof, the FIR No.0142 dated 18.05.2020, under

Sections 147/148/323/504/506 of IPC at P.S. Lal Kuan, District Nainital, are hereby quashed.

7. Proceedings are closed.