

(2025) 03 UK CK 0879

In the Uttarakhand High Court

Case No : Writ Petition Criminal No. 226 Of 2025

Vipin Kumar

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 19-03-2025

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 125(a), 281
Constitution Of India, 1950 — Article 226

Citation : (2025) 03 UK CK 0879

Hon'ble Judges : Pankaj Purohit, J

Bench : Single Bench

Advocate : Amar Murti Shukla, Vipul Painuli, Anand Singh

Final Decision : Allowed

Judgement

Pankaj Purohit, J

1. The present writ petition has been filed under Article 226 of the Constitution of India, whereby petitioner has put to challenge FIR No.0045 of 2024 dated 05.09.2024, under Sections 125(a) and 281 of B.N.S. 2023, registered with Police Station Lohaghat, District Champawat, on the ground that parties have entered into an amicable settlement and they want to put this matter to rest.
2. For the said purpose, a joint compounding application has also been moved by the parties supported by their respective affidavits.
3. In the compounding application, it has been narrated by the parties that they have settled their dispute and both do not want to proceed with the instant criminal proceedings.
4. Parties are present before this Court, duly identified by their respective Advocates. On interaction with both the parties, they stated that they have settled all their disputes amicably and do not want to proceed with the aforesaid investigation pursuant to the impugned F.I.R.

5. This Court also interacted with both the parties and they stated that they do not want to proceed with case against the petitioner anymore.

6. Learned State counsel has formally objected to the offences in the F.I.R.

7. This Court is convinced that once the parties have decided to settle their dispute amicably, it would not be appropriate to direct them to join the investigation, which would ultimately result into nothing, but acquittal and would amount to be a futile exercise.

8. Compounding Application (IA No.1 of 2025) is allowed.

9. Accordingly, writ petition stands allowed. The impugned FIR No.0045 of 2024 dated 05.09.2024, under Sections 125(a) and 281 of B.N.S. 2023, registered with Police Station Lohaghat, District Champawat is hereby quashed. All subsequent proceeding, pursuant to impugned F.I.R., against the petitioner also stand quashed.