

(2025) 03 UK CK 0873

In the Uttarakhand High Court

Case No : Writ Petition Criminal No. 129 Of 2025

Vishum Tikedar And Others

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 18-03-2025

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 115(2), 351(2), 352
Constitution Of India, 1950 — Article 226

Citation : (2025) 03 UK CK 0873

Hon'ble Judges : Pankaj Purohit, J

Bench : Single Bench

Advocate : Rahul Bhatt, B.C. Joshi, S.B. Dobhal, Shobhit Dumka

Final Decision : Disposed Of

Judgement

Pankaj Purohit, J

1. The present writ petition has been filed under Article 226 of the Constitution of India, whereby petitioners have put to challenge FIR No.262 of 2024 dated 10.12.2024, under Sections 115(2), 351(2) and 352 of B.N.S. 2023, registered with Police Station Dineshpur, District Udham Singh Nagar, 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 they 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 petitioners anymore.

6. Per contra, learned State counsel submits that after investigation a Charge Sheet No.80 of 2025 dated 20.01.2025 has been filed against the petitioners.

7. Mere filling of a charge sheet would not make any difference, if the parties have amicably settled their dispute and they do not want to prosecute the matter any further.

8. 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.

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

10. Accordingly, writ petition stands disposed-off. The impugned FIR No.262 of 2024 dated 10.12.2024, under Sections 115(2), 351(2) and 352 of B.N.S. 2023, registered with Police Station Dineshpur, District Udham Singh Nagar is hereby quashed. All subsequent proceeding including the Charge Sheet No.80 of 2025 dated 20.01.2025 submitted by the Police, after investigation, pursuant to impugned F.I.R., against the petitioners stand quashed.