

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	<u>18.09.2023</u>		C482 No. 1602 of 2023 <u>Hon'ble Sharad Kumar Sharma, J.</u> Mr. Vikas Kumar Guglani, Advocate, for the applicants. Mr. Vinod Kumar Gemini, Deputy Advocate General, for the State. Mr. B.S. Koranga, Advocate, for the respondents. This C482 Application emanates from a Criminal Case No. 865 of 2018, State Vs. Kharak Singh and others, whereby the trial was being proceeded, as against the present applicants for their involvement of commission of offence under Section 324 of IPC. The C482 Application is supported with the Compounding Application No. IA/1/2023, whereby the parties to the C482 Application who are the signatories to it and who are also present in person and have been duly identified by their respective counsels. This Court has interacted with the victim, as well as the complainant respondent No. 2, and they have jointly made a statement that the parties have now settled their disputes, as such, they do not intend to prosecute the present applicants any further. Though the compounding application was initially opposed by the learned Government Advocate since being the offence under

		Section 324, it will not be a compoundable offence, under Section 320 of CrPC, and hence the matter was posted for today, for the reason being that as per the medical report which was submitted, injury Nos. 1 to 4 were found to be simple in nature except for injury No. 3, which was referred to the radiologist and for further investigation. For injury No. 3, the learned Government Advocate, by the previous order dated 15.09.2023, was directed to collect the necessary information as to what was the report submitted by the Medical Officer with regard to injury No. 3. The learned Government Advocate has produced a report submitted by the SHO, Kotwali, Kiccha, District Udham Singh Nagar, wherein as per the statement recorded by the victim, the SHO, has informed that the victim has not gone to the higher centre as referred to in the medical report and rather has undertaken the treatment at his residence only, coupled with the fact that the statement recorded by the victim before this Court, he has also stated that the injury which was suffered by him was on the left shoulder which he got it treated at his residence only has not attended any hospital, as such, in view of the opinion expressed by the doctor attending upon him. Since there being a unanimity in statement made by the parties to the C482 Application with regard to the
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			composition of offence and particularly the statement of the victim, who has recorded, that since now they have settled their dispute, this Court should consider their compounding application. This Court, while exercising its powers under Section 320 of CrPC, and particularly, in the context of this case, and the medical report submitted by the doctor, since most of the injuries were found to be simple in nature except for injury no. 3, for which the report had been submitted by the SHO. Considering the report and the statement recorded by the parties to the C482 Application, the C482 Application would stand closed and as a consequence thereto, the proceedings of Criminal Case No. 865 of 2018, State Vs. Kharak Singh and others, pending consideration before the Court of Additional Chief Judicial Magistrate, Rudrapur, would hereby stand quashed. (Sharad Kumar Sharma, J.) 18.09.2023 Mahinder/
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