

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	<u>17.10.2023</u>		C482 No. 1768 of 2023 <u>Hon'ble Sharad Kumar Sharma, J.</u> Mr. Mohd. Safdar, Advocate, for the applicant. Mr. V.K. Gemini, Deputy Advocate General, for the State. Mr. Faizan Ali, Advocate, for the respondent. In the FIR, being FIR No. 196 of 2016 dated 26.06.2016, there were as many as 8 co-accused persons, who were said to be involved in commission of offence under Sections 147, 323 and 307 of IPC. The matter was investigated and after investigation, a Chargesheet, being Chargesheet No. 156 of 2016 dated 19.09.2016, was submitted against the accused persons, based on which the present applicant has been summoned to be tried in Sessions Trial No. 244 of 2018, State Vs. Sajit Pahalwan and others, wherein he has been summoned to be tried for the offence under Sections 147, 323 and 307 of IPC. It has been argued by the learned counsel for the applicant, that though the charges have already been framed and the trial is proceeding, but in relation to all the other co-accused persons, the offence has already been compounded by the coordinate Bench of this Court and one of the exemplar judgment he has placed on record, as it was rendered in Criminal Miscellaneous

		Application No. 273 of 2020, Tanveer Vs. State of Uttarakhand and another, which too was emanating from the same proceedings of Sessions Trial No. 244 of 2018, State Vs. Sajit Pahalwan and others. The factum of the present case being covered by the said judgment dated 18.02.2020 is not being opposed by the learned Government Advocate, because as per the contents of the FIR, the role of the present applicant happens to be almost similar to that of the other co-accused persons. Coupled with the fact, that the parties to the proceedings are present in person before this Court, who had been duly identified by their respective counsels and they have been even interacted by this Court also. In support of the Compounding Application (IA/1/2023), they have made a statement that they have entered into a settlement based upon the terms as given in the Compounding Application, as such. The complainant respondent has submitted that he would not be having any objection as such, in case if the offences are compounded in terms of the aforesaid compromise. In view of the aforesaid, the composition as granted by the coordinate Bench of this Court by the judgment dated 18.02.2020 in Criminal Miscellaneous Application No. 273 of 2020, Tanveer Vs. State of Uttarakhand and another, would constitute as to be the reasons for composition of the offences, <i>qua</i> the present applicant. Subject to the aforesaid, the instant
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			C482 Application would stand disposed of and as a consequence thereto, the proceedings of Special Trial No. 244 of 2018, State Vs. Sajit Pahalwan and others, pending consideration before the Court of 1st Additional District and Sessions Judge, Roorkee, District Haridwar, would stand quashed, qua the present applicant also. (Sharad Kumar Sharma, J.) 17.10.2023 Mahinder/
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