

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	<u>19.10.2023</u>		C482 No. 2025 of 2023 <u>Hon'ble Sharad Kumar Sharma, J.</u> Mr. Deepak Bhatt, Advocate, for the applicants. Mr. V.K. Gemini, Deputy Advocate General, for the State. Mr. Abhishek Joshi, Advocate, for the respondents. The proceedings of Criminal Case No. 2740 of 2021, State Vs. Pravesh Kumar & Others, being the proceedings pending consideration before the Court of Additional Chief Judicial Magistrate, Rudrapur, District Udham Singh Nagar, had its birth with registration of the FIR, being FIR No. 277 of 2020, as it was registered by respondent No. 2, herein on 05.10.2020, as against the four named accused persons and other four unnamed accused persons for their alleged involvement in commission of offence under Sections 147, 323, 504 & 506 of IPC, which has been complained of in the aforesaid FIR, on account of a minor accident, which has taken place at the Toll Plaza on 05.10.2020. Upon investigation, the Chargesheet No. 299 of 2020 had been submitted by the Investigating Officer, with the finding therein that the offence under Sections 147, 323, 504 & 506 of IPC stands established as against the present applicants on which the cognizance has been taken by the Court of Additional Chief Judicial Magistrate, Rudrapur, District

		Udham Singh Nagar, registering the aforesaid criminal case. The instant C482 Application is accompanied with the Compounding Application i.e. IA/1/2023, contending therein, that owing to certain minor misunderstandings, the incident had chanced, which now stands settled by the parties in terms of the statements recorded in the affidavits, filed in support thereto, coupled with the fact that the complainant i.e. respondent No. 2 is present in person before this Court, who was interacted with by this Court, and he has made a statement in the presence of his counsel, that he doesn't have any objection if the Application is allowed in terms of the settlement referred to in the compounding application. Similar was the statement made by the respondent No. 4, who too is present before this Court, and has been duly identified by his counsel, and has recorded an identical statement. As far as respondent No. 3 is concerned, since she being an aged lady, suffering from joint pains, she had participated in the proceedings through video conferencing and this Court has also interacted with her and she too has a concurrence with the statements made by the respondent Nos. 2 and 4 herein. The applicants are present in person before this Court and they have been duly identified by their counsel and all of them have unanimously made a statement that now they have entered into a settlement and respondent No. 2 herein doesn't intend to prosecute the present applicants any further.
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The learned Government Advocate was called upon to answer the terms of the settlement. He submits that since all the offences under Sections 147, 323, 504 & 506 of IPC have chanced on account of a minor altercation, which has taken place, and since all the offences are compoundable under Section 320 of CrPC, he may not be having any serious objection, as such, in case if the Compounding Application is allowed and the proceedings of Criminal Case No. 2740 of 2021, State Vs. Pravesh Kumar & Others, is compounded by this Court.

Having considered the controversy in its entirety, particularly, in the context of the statements recorded by the parties to the proceedings in the presence of their counsels, and having gone through the terms of the Compounding Application, which has been duly signed by all the parties, the term of which, also stands fortified by the respective counsels representing them, the C482 Application would stand disposed of and as a consequence thereto, the proceedings of Criminal Case No. 2740 of 2021, State Vs. Pravesh Kumar & Others, presently pending consideration before the Court of Additional Chief Judicial Magistrate, Rudrapur, District Udham Singh Nagar, would hereby stand quashed in terms of the Compounding Application.

(Sharad Kumar Sharma, J.)

19.10.2023