

9Sl. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			IA No.01 of 2023 (Compounding Application) With C482 No.2129 of 2023 <u>Hon'ble Sharad Kumar Sharma, J.</u> Mr. P.C. Pethshali, Advocate, for the applicant. Mr. B.C. Joshi, Brief Holder, for the State of Uttarakhand. Mr. Yogesh Upadhyay, Advocate, for the respondent. The proceedings of the Criminal Case No.2446 of 2022, "State Vs. Deepak Chauhan", stood instituted before the court of Additional Chief Judicial Magistrate, Kashipur, District Udham Singh Nagar, for trying the present applicant for the offence under sections 279, 337 and 427 respectively of IPC. In accordance with the version of the incident as narrated in the FIR No.248, dated 28.06.2021, the FIR was registered for the offences under section 279 and 337 of IPC, on account of the minor accident which has taken place on 24.06.2021, where the two vehicles i.e. Ertiga Car bearing Registration No.UK04 Q 4951, which was being driven by the present applicant and the motorcycle bearing Registration No.UK04Z 4257, being driven by the complainant, they met with a minor accident, due to which certain injuries were caused to the complainant/respondent no.2, who was treated upon in the private hospital and certain expenditures were incurred upon it. During the course of the investigation, when the Chargesheet No.360 of 2021, dated 24.09.2021, was submitted, the IO, who has added the offence under section 427 of IPC, over which, the cognizance has been taken by an order dated 09.05.2022, and the proceedings of the Criminal Case No.2446 of 2022, "State

			Vs. Deepak Chauhan”, has been put to motion. The C482 application is accompanied with the compounding application, which has been duly signed by both the parties, including their respective counsels, who, apart from identifying their respective clients, have also verified the contents of the compounding application. The complainant/respondent no.2, has submitted, that owing to the minor injuries, which were suffered because of the accident, he has been compensated by the applicant, and requisite medical expenses have already been paid by him, apart from that the applicant has also tendered an unconditional apology. The Government Advocate opposes the compounding application on the ground, that the offence under section 279 of IPC is not compoundable under section 320 of CrPC. This fact cannot be denied, but that is not included in any of the tables provided under section 320 of CrPC, but still this Court looking to the nature of the dispute, which is absolutely minor in nature. Apart from that, it is exclusively a private dispute, and not an offence committed against the society, the same could be compounded by this Court while exercising its inherent powers under section 482 of the CrPC. Owing to the terms of the settlement referred to in paragraphs 6, 7 and 8 of the compounding application, the present C482 application stands disposed of and as a consequence thereto, the proceedings of the Criminal Case No.2446 of 2022, “State Vs. Deepak Chauhan”, pending consideration before the court of ACJM, Kashipur, District Udham Singh Nagar, would hereby stand quashed, in terms of the compounding application. (Sharad Kumar Sharma, J.) 31.10.2023 NR
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