

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>Compounding Appl. No. 1 of 2023</u> <u>In</u> <u>C482 No. 2227 of 2023</u> <u>Hon'ble Rakesh Thapliyal, J.</u> 1. Mr. Lalit Sharma, learned counsel through V.C. and Mr. Bharat Chaudhary, learned counsel for the applicant. 2. Mr. Saurabh Pandey, learned Brief Holder for the State. 3. Mr. Naveen Singh Bisht, learned counsel for the complainant. 4. The present application, preferred under Section 482 Cr.P.C., is moved along with the compounding application which is supported with the affidavits of the applicant and the complainant-respondent no. 2. 5. The brief facts of the case are that FIR was lodged by respondent no. 2 who was having power of attorney of one Sm. Prabha Rani in which after investigation final report has been filed on 03.06.2011, wherein it is mentioned that Smt. Prabha Rani is not the owner of the property in question. After filing of the final report, protest petition was filed by respondent no. 2 which was allowed and the matter was sent back for further investigation and after further investigation charge sheet was filed against the applicant for the offence punishable under Sections 420, 467, 468, 471 and 120B IPC wherein cognizance was taken. 6. Now C482 application has been moved along with the compounding

			application with this contention that only due to some misunderstanding the FIR was lodged by respondent no. 2 and now both the parties have settled their dispute amicably, and, since both the applicant and respondent no. 2 have settled their dispute, therefore, continuation of the proceeding is nothing but a would be a futile exercise. 7. Parties are present in the Court today and they are identified by their respective counsel. Xerox copies of the Aadhar card signed by the parties themselves and attested by their respective learned counsel are filed and kept on record. The applicant, particularly respondent no. 2 on interaction submits that they have resolved their dispute amicably and respondent no. 2 does not want to pursue this proceeding. 8. Learned counsel for the applicant submits that in view of the law laid down in the case of Nikhil Merchant v. CBI and another, (2008) 9 SCC 650 as well as in the case of Gian Singh v. State of Punjab and another, (2013) 1 SCC (Cri) 160, the offence may be compounded. 9. Mr. Saurabh Pandey, learned Brief Holder for the State submits the offences punishable under sections 467, 468, 471 and 120B IPC are non compoundable but he submits that since the dispute relates to some property and now the parties have settled their dispute, therefore, continuation of this proceeding appears to be a futile exercise in view of their settlement. He further submits that in view of the law laid down in <i>Gian Singh(supra)</i> the offences may be compounded. 10. After hearing the arguments of the
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			learned counsel for the parties and learned Brief Holder for the State, this Court is of the view that the compounding application deserves to be allowed. 11. The compounding application is allowed. The proceedings of Criminal Case No. 3512 of 2022, State vs. Praveen Chhetri & others, in respect of offences punishable under Sections 420, 467, 468, 471 and 120B IPC, pending in the court of Additional Chief Judicial Magistrate, 1st, Dehradun are hereby quashed in respect of the applicant. 12. The C482 application is disposed of finally. 13. Pending application(s), if any, also stands disposed of. (Rakesh Thapliyal, J.) 28.12.2023 Parul
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