



2024:UHC:9667

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA
18TH DECEMBER, 2024

Criminal Writ Petition No. 1173 of 2024

Rajesh Koli alias Rajji Petitioner

Versus

State of Uttarakhand and Others Respondents

Counsel for the Petitioner : Mr. Dushyant Mainali,
Advocate.

Counsel for the Respondent: Mr. G.S. Sandhu,
Nos. 1 & 2 Additional Advocate
General assisted by
Mr. Deepak Bharadwaj,
Brief Holder.

Counsel for the Respondent : Mr. Nikhil Bhatt,
No.3-informant/victim Advocate.

Hon'ble Alok Kumar Verma,J.

The present Writ Petition under Article 226 of the Constitution of India has been filed to quash the First Information Report No.343 of 2024, registered at police station Kichha, District Udham Singh Nagar under Sections 121(1), 132 and Section 352 of the Bharatiya Nyaya Sanhita, 2023.

2. A Compounding Application (IA No.2 of 2024) has been filed by the respondent no.3 -



informant/victim and the petitioner – accused.

3. Heard Mr. Dushyant Mainali, learned counsel for the petitioner, Mr. G.S. Sandhu, learned Additional Advocate General assisted by Mr. Deepak Bharadwaj, learned Brief Holder for the respondent nos.1 and 2 and Mr. Nikhil Bhatt, learned counsel for the respondent no.3.

4. Mr. Rajesh Koli alias Rajji, the petitioner – accused is present in-person. He is identified by Mr. Dushyant Mainali, Advocate.

5. Respondent no.3 - Shyam Babu, informant/victim is present in-person. He is identified by Mr. Nikhil Bhatt, Advocate.

6. Both the parties have submitted that there were private disputes between them and they have resolved their disputes and after resolving their disputes they are living in peace and harmony. The respondent no.3 – Shyam Babu has further submitted that he has filed his affidavit with his free will and without any pressure. He has requested to quash the First Information Report.

7. Learned counsel for the State has submitted that the offence under Section 121(1) and 132 of the Bharatiya Nyaya Sanhita, 2023 are not compoundable. However, he has conceded that there were private disputes between the parties and they have resolved their disputes.

8. There were private disputes between the parties and they have resolved their disputes. After resolving their disputes their relations are cordial. They are living in peace and harmony.



9. In these circumstances, it would be appropriate, in the interest of justice, that the impugned First Information Report No.343 of 2024, registered at police station Kichha, District Udham Singh Nagar, be quashed.

10. Accordingly, the First Information Report No.343 of 2024, registered at police station Kichha, District Udham Singh Nagar, is hereby quashed.

11. The criminal writ petition (WPCRL No. 1173 of 2024) is disposed of accordingly.

ALOK KUMAR VERMA, J.

Dt: 18.12.2024
Pant/

PANKAJ KUMAR
PANT

Digitally signed by PANKAJ KUMAR PANT
DN: cn=P, ou=HIGH COURT OF UTTARAKHAND, ou=HIGH COURT OF UTTARAKHAND,
2.5.4.20=9B25448D49D4C5B2B5A138A49B0C229622967868D7; c=IN,
10B8B4781BC, postalCode=261001, o=UTTARAKHAND,
serialNumber=45F4481456BC1A2C617A66E131B28D090191D28E
04D31C4A48A0D8D212, cn=PANKAJ KUMAR PANT
Date: 2018.12.18 12:36:09 +05'30'