



2025:UHC:9634

**IN THE HIGH COURT OF UTTARAKHAND**  
**AT NAINITAL**

**THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA**

**31<sup>ST</sup> OCTOBER, 2025**

**CRIMINAL MISCELLANEOUS APPLICATION NO.1744 of 2025**

Sheru Singh and Others .....Applicants

Versus

State of Uttarakhand and Another .....Respondents

Counsel for the Applicants : Mr. Harshpal Sekhon,  
Advocate.

Counsel for the Respondent : Mrs. Sweta Badola  
No.1 Dobhal, Brief Holder.

Counsel for the Respondent : Mr. Basant Singh,  
No.2/informant-victim Advocate.

**Hon'ble Alok Kumar Verma,J.**

The present Application has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 by the applicants for quashing the entire proceedings of Sessions Trial No.160 of 2025, pending before the court of II<sup>nd</sup> Additional Sessions Judge, Rudrapur, District Udham Singh Nagar under Sections 111, 318(4) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

**2.** Applicants-accused Ritik and Ajay Saini are in judicial custody.

**3.** Heard Mr. Harshpal Sekhon, learned counsel



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for the applicants, Mrs. Sweta Badola Dobhal, learned Brief Holder for respondent no.1 and Mr. Basant Singh, learned counsel for the respondent no.2/informant-victim.

4. According to the prosecution, the informant had an account in the State Bank of India, Branch Rudrapur, District Udham Singh Nagar. A sum of Rs.54,999.99 was withdrawn from his account by the unknown persons. The First Information Report was registered on 29.05.2025. Charge-sheet has been filed against seven persons including the present applicants.

5. Sheru Singh, the applicant no.1 is present. He is identified by Mr. Harshpal Sekhon, Advocate.

6. The respondent no.2 is present through video conferencing. He is identified by Mr. Basant Singh, Advocate.

7. According to Mr. Harshpal Sekhon, Advocate and the respondent no.2-informant, the co-accused Manoj Saini was a proprietor of "Uttarakhand Darshan". In the dealing of packages for Tours and Travels, the informant himself through his UPI deposited the said amount from his bank account into the bank account of the co-accused Manoj Saini, but, due to some mistakes, the First Information Report was lodged.



**8.** The respondent no.2 has requested to quash the entire proceedings of the said Sessions Trial No.160 of 2025.

**9.** The said request has been opposed by the respondent no.1 on the ground that the said offences are non-compoundable.

**10.** Considering the totality of the matter, this Court is of the view that ends of justice would be met if the entire proceedings of Sessions Trial No.160 of 2025, pending before the court of II<sup>nd</sup> Additional Sessions Judge, Rudrapur, District Udham Singh Nagar, are quashed qua the applicants-Sheru Singh, Ritik and Ajay Saini.

**11.** Resultantly, the present Application, filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is allowed and the entire proceedings of Sessions Trial No.160 of 2025, pending before the court of II<sup>nd</sup> Additional Sessions Judge, Rudrapur, District Udham Singh Nagar, are hereby quashed qua the applicants-Sheru Singh, Ritik and Ajay Saini.

**12.** The applicants-Ritik and Ajay Saini are presently lodged in Sub-Jail, Haldwani. They shall be released forthwith from custody, if not required in any other criminal case.

