



2025:UHC:9619

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

31st OCTOBER, 2025

CRIMINAL MISCELLANEOUS APPLICATION NO. 1793 OF 2025

Saddam Hussain Applicant

Versus

State of Uttarakhand and Others Respondents

Counsel for the Applicant : Mr. Anoop Jaiswal, Advocate.

Counsel for the Respondent : Mrs. Sweta Badola Dobhal,
Nos.1 to 3 Brief Holder.

Counsel for the Respondent : Mr. Vikramaditya Buddhist,
Nos. 4 & 5 Advocate.

Hon'ble Alok Kumar Verma,J.

This Application has been filed for quashing the entire proceedings of Sessions Trial No. 136 of 2018, "State Vs. Saddam", pending before the Court of IIIrd Additional Sessions Judge, Rudrapur, District Udham Singh Nagar under Sections 307, 325, 427 and Section 506 of the Indian Penal Code, 1860.

2. The Amendment Application (IA No. 2 of 2025), filed by the applicant, is allowed.

3. Amended memo is taken on record.

4. According to the First Information Report dated 23.04.2018, the applicant hit the motorcycle of the informant's brother with his vehicle on 21.04.2018,



resulting in injuries to his brother and damage to his motorcycle.

5. Mr. Anoop Jaiswal, learned counsel for the applicant-accused.

6. Mrs. Sweta Badola Dobhal, learned Brief Holder for the respondent nos.1 to 3.

7. Mr. Vikramaditya Buddhist, learned counsel for the respondent no.4-informant and the respondent no.5-injured.

8. The applicant, the respondent no.4 and the respondent no.5 are present in-person.

9. The applicant is identified by Mr. Anoop Jaiswal, Advocate and the respondent no. 4 and the respondent no.5 are identified by Mr. Vikramaditya Buddhist, Advocate.

10. The applicant, the respondent no.4 and the respondent no.5 submitted that they have settled their all the disputes including the present dispute and after resolving their dispute, they are living peacefully and in harmony. They have filed a Compounding Application and affidavits with their free will and without any pressure. The respondent no. 4 and the respondent no.5 have requested to quash the entire proceedings of the said Sessions Trial No. 136 of 2018.

11. The said request of the private respondents



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has been opposed by Mrs. Sweta Badola Dobhal, Brief Holder appearing for the respondent nos.1 to 3 on the ground that Section 307 of the Indian Penal Code, 1860 is non-compoundable.

12. Though this Court would normally be hesitant to quash the proceedings under Section 307 of the Indian Penal Code, 1860, but, it is noticed that the parties have resolved their disputes and are living peacefully. In these circumstances, in case, the proceedings are allowed to continue, it would amount to denial of complete justice to the parties. Therefore, it is a case, in which the inherent jurisdiction of this Court should be exercised to do real and substantial justice.

13. 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. 136 of 2018, “State Vs. Saddam”, pending before the Court of IIIrd Additional Sessions Judge, Rudrapur, District Udham Singh Nagar, are quashed.

14. 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. 136 of 2018, “State Vs. Saddam”, pending before the Court of IIIrd Additional Sessions Judge,



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Rudrapur, District Udham Singh Nagar, are hereby
quashed.

ALOK KUMAR VERMA, J.

Date: 31.10.2025
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