



2025:UHC:9862

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

10TH NOVEMBER, 2025

CRIMINAL MISCELLANEOUS APPLICATION NO. 1899 OF 2025

Bhoop Ram Applicant

Versus

State of Uttarakhand and Others Respondents

Counsel for the Applicant : Mr. Manoj Bhatt, Advocate

Counsel for the Respondent : Mr. Akshay Latwal, Assistant
No.1 Government Advocate

Counsel for the Respondent : Mr. Mani Kumar, Advocate
No.3/victim

Hon'ble Alok Kumar Verma, J.

This Application has been filed for quashing the entire proceedings of Special Sessions Trial No.279 of 2023, "State of Uttarakhand Vs. Patiram and Another", pending before the Fast Track Court/Additional Sessions Judge/Special Judge (POCSO), Udham Singh Nagar under Sections 363, 366, 376 of the Indian Penal Code, 1860 (in short, "IPC"), Section 5 read with Section 6 of the Protection of Children from Sexual Offences Act, 2012 (in short, "Act, 2012"), Section 9 and Section 10 of the Prohibition of Child Marriage Act, 2006.



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2. Mr. Manoj Bhatt, learned counsel for the applicant-accused.

3. Mr. Akshay Latwal, learned Assistant Government Advocate for the respondent no.1.

4. Mr. Mani Kumar, learned counsel for the respondent no.3/victim.

5. The applicant and the respondent no.3 are present through video conferencing. Applicant is identified by Mr. Manoj Bhatt, Advocate. The respondent no.3 is identified by Mr. Mani Kumar, Advocate.

6. According to the applicant-accused, his date of birth is 15.12.1999. As per the respondent no.3/victim, her date of birth is 01.01.2002. They have got married on 17.11.2021. Their marriage has been registered under the provisions of Uttar Pradesh Marriage Registration Rules, 2017 (page no.49). The victim has given birth to a girl child. Her age is one and a half years. They further submitted that they are living happily as husband and wife with their minor child. They have filed a Compounding Application (IA No.01 of 2025) and affidavits with their free will and without



any pressure. The respondent no. 3 has requested to quash the entire proceedings of Special Sessions Trial No.279 of 2023.

7. Despite availing sufficient opportunity, the State, the respondent no.1, has not filed any objection. However, it has been contended on behalf of the State that the said offences are non-compoundable.

8. Though this Court would normally be hesitant to quash the proceedings under Sections 363, 366 and Section 376 of the IPC and the proceedings under the provisions of the Act, 2012, but, it is noticed that the applicant and the victim got married and they are living happily with their minor girl child. 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.

9. Considering the totality of the matter, this Court is of the view that ends of justice would be met if the entire proceedings of Special Sessions Trial No. 279 of 2023, “State of Uttarakhand Vs. Patiram and Another”, pending before the Fast Track



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Court/Additional Sessions Judge/Special Judge
(POCSO), Udham Singh Nagar, are quashed.

10. Resultantly, the present Application, filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is allowed and the entire proceedings of Special Sessions Trial No. 279 of 2023, “State of Uttarakhand Vs. Patiram and Another”, pending before the Fast Track Court/Additional Sessions Judge/Special Judge (POCSO), Udham Singh Nagar, are hereby quashed qua the applicant-Bhoop Ram.

ALOK KUMAR VERMA, J.

Date: 10.11.2025
JKJ/ Pant