



2025:UHC:11380

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

19TH DECEMBER, 2025

CRIMINAL MISCELLANEOUS APPLICATION NO.2025 of 2025

Nitin Kumar Applicant

Versus

State of Uttarakhand and two Others Respondents

Counsel for the Applicant : Mr. Ankur Sharma, Advocate

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

Counsel for the Respondent : Mr. Vaibhav Singh Chauhan,
Nos.2 & 3/Informant & injured Advocate

Hon'ble Alok Kumar Verma,J.

This application has been filed for quashing the entire proceedings of Sessions Trial No.98 of 2021, pending before the court of learned Ist Additional District and Sessions Judge, Rishikesh, District Dehradun under Section 307 and Section 506 of the Indian Penal Code, 1860.

2. Mr. Ankur Sharma, learned counsel for the applicant.

3. Mrs. Sweta Bodola Dobhal, learned Brief Holder for the respondent No.1.

4. Mr. Vaibhav Singh Chauhan, learned counsel for the respondent no.2-informant and respondent no.3-injured.



5. Heard on Amendment Application (IA No.3 of 2025).

6. Amendment Application has not been opposed by the respondents.

7. Amendment Application (IA No.3 of 2025) is allowed.

8. Mr. Ankur Sharma, Advocate has sought one week's time to file an amended memo.

9. The applicant is present through video conferencing. He is identified by Mr. Ankur Sharma, Advocate.

10. The respondent nos. 2 & 3 are present through video conferencing. They are identified by Mr. Vaibhav Singh Chauhan, Advocate.

11. Applicant is the husband of the injured-respondent no.3.

12. According to the First Information Report dated 20.03.2021, the applicant assaulted the informant and his sister with a knife. His sister suffered injuries on her neck and her hands.

13. Both, the applicant, the respondent no.2 and the respondent no.3 submitted that they have settled all their differences and after resolving their differences, they have filed a Compounding Application (IA No.1 of 2025) and affidavits with their free will and without any pressure. The private respondents have requested to quash the entire proceedings of the said Sessions Trial No.98 of 2021.



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14. Mrs. Sweta Badola Dobhal, Brief Holder has opposed the said request on the ground that the offence under Section 307 of the Indian Penal Code, 1860 is non-compoundable.

15. Though this Court would normally be hesitant to quash the proceedings under Sections 307 IPC, but, it is noticed that the applicant is the husband of the injured and the parties have resolved their disputes amicably. 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.

16. Consequently, the present Application, filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is allowed and the entire proceedings of Sessions Trial No.98 of 2021, pending before the court of learned Ist Additional District and Sessions Judge, Rishikesh, District Dehradun, are hereby quashed.

ALOK KUMAR VERMA, J.

Date : 19.12.2025
JKJ/ Pant