



2025:UHC:11393

IN THE HIGH COURT OF UTTARAKHAND  
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

19<sup>TH</sup> DECEMBER, 2025

CRIMINAL MISCELLANEOUS APPLICATION NO.2053 of 2025

Hemant alias Happy ..... Applicant

Versus

State of Uttarakhand and Another ..... Respondents

Counsel for the Applicant : Mr. Shariq Khurshid, Advocate

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

Counsel for the Respondent : Mr. Prince Chauhan,  
No.2 Advocate

Hon'ble Alok Kumar Verma, J.

This application has been filed for quashing the entire proceedings of Criminal Case No.153 of 2025, "State vs. Ravi Shrivastav and two Others", pending before the court of learned Additional Chief Judicial Magistrate, Kashipur, District Udham Singh Nagar under Section 109 read with Section 3(5), Section 309(5) and Section 333 of the Bharatiya Nyaya Sanhita, 2023.

2. According to the respondent no.1-State, on December 15, 2024, the informant and his wife were in their hut. At around 8-9 p.m., Sukram Pandit and an unknown person entered his hut. Sukram Pandit pointed a country made pistol at the informant's temple. Sukram Pandit demanded money from him. He protested. Sukram Pandit opened fire, but it did not hit



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him. Hearing the informant's noise, the neighbors came. One of their companions was outside the informant's hut with a motorcycle. They fled on the motorcycle. The First Information Report was registered on 16.12.2024

3. Mr. Shariq Khurshid, learned counsel for the applicant.

4. Mr. Akshay Latwal, learned Assistant Government Advocate for the respondent No.1.

5. Mr. Prince Chauhan, learned counsel for the respondent no.2-informant-victim.

6. The applicant and respondent no.2 are present in-person. The applicant is identified by Mr. Shariq Khurshid, Advocate. The respondent no.2 is identified by Mr. Prince Chauhan, Advocate.

7. Both, the applicant and the respondent no.2 submitted that they have settled all their differences and after resolving their differences, they are living happily and in harmony. They have filed a Compounding Application (IA No.1 of 2025) and affidavits with their free will and without any pressure. The respondent no.2 has requested to quash the entire proceedings of the said Criminal Case No.153 of 2025.

8. Mr. Akshay Latwal, Assistant Government Advocate has opposed the said request.

9. It is noticed that the parties have resolved their differences amicably. They are living happily and in harmony. In these circumstances, in case, the proceedings are allowed to continue, it would amount



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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.

10. Consequently, the present Application, filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is allowed and the entire proceedings of Criminal Case No.153 of 2025, “State vs. Ravi Shrivastav and two Others”, pending before the court of learned Additional Chief Judicial Magistrate, Kashipur, District Udham Singh Nagar, are hereby quashed qua the applicant-Hemant alias Happy.

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ALOK KUMAR VERMA, J.

Date : 19.12.2025  
JKJ/ Pant