



2025:UHC:11338

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

18TH DECEMBER, 2025

CRIMINAL MISCELLANEOUS APPLICATION NO.2233 of 2025

Sonu and two Others Applicants

Versus

State of Uttarakhand and Others Respondents

Counsel for the Applicants : Mr. Gaurav Singh, Advocate

Counsel for the Respondent: Mr. Chitrarth Kandpal, Brief
No.1 Holder.

Counsel for the Respondent : Mr. Susheel Kumar, Advocate
Nos.2 & 3/Informant & injured

Hon'ble Alok Kumar Verma,J.

This application has been filed for quashing the entire proceedings of Criminal Case No.3815 of 2025, "State vs. Sonu and two Others", pending before the court of learned Chief Judicial Magistrate, Haridwar under Sections 109, 351(2), 352, 118(1) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. According to the First Information Report dated 06.02.2025, the applicants abused and beat the respondent no.3, the brother of the respondent no.2 – informant, on 26.01.2025, in which he (respondent no.3) sustained injuries.

3. Mr. Gaurav Singh, learned counsel for the applicants.



4. Mr. Chitrarth Kandpal, learned Brief Holder for the respondent no.1.

5. Mr. Susheel Kumar, learned counsel for the respondent nos.2 & 3.

6. The applicant no.1 is present through video conferencing. He is identified by Mr. Gaurav Singh, Advocate.

7. The respondent nos.2 and 3 are present through video conferencing. They are identified by Mr. Susheel Kumar, Advocate.

8. The applicant no.2 and the applicant no.3 are in judicial custody.

9. It has been submitted by the applicants and the private respondents that they are neighbors. They have settled their disputes and after resolving their disputes, 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.

10. The respondent no.2 and the respondent no.3 have requested to quash the entire proceedings of the said Criminal Case No.3815 of 2025, "State vs. Sonu and two Others", pending before the court of learned Chief Judicial Magistrate, Haridwar.

11. Mr. Chitrarth Kandpal, Brief Holder appearing for the State, has opposed the said request on the ground that the offence under Section 109 of the Bharatiya Nyaya Sanhita, 2023 is non-compoundable.



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12. It is noticed that the parties have resolved their disputes amicably. They are living happily and in harmony. 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. 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.3815 of 2025, "State vs. Sonu and two Others", pending before the court of learned Chief Judicial Magistrate, Haridwar, are hereby quashed.

14. A copy of this order be sent to the Superintendent of the concerned jail forthwith for information and necessary action.

ALOK KUMAR VERMA, J.

Date : 18.12.2025
JKJ/ Pant