



2025:UHC:11457

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			IA No.01 of 2025 (Compounding Application) In WPCRL No. 1725 of 2025 <u>Hon'ble Ashish Naithani, J.</u> Mr. Vaibhav Singh Chauhan, learned counsel for the Petitioners. 2. Mr. S. S. Chauhan, learned D.A.G. assisted by Mr. Vikash Uniyal, learned Brief Holder for the State. 3. Mr. Shubhr Rastogi, learned counsel holding brief of Mr. Abhishek Joshi, learned counsel for Respondent no.4. 4. The present writ petition (criminal) under Article 226 of the Constitution of India is filed on behalf of the Petitioners, Sadab S/o Nafees and Amjad S/o Shamsheer against the Respondents in particularly Respondent no.4, Raees Ahmad (complainant) S/o Asgar; the present writ petition comes with the prayer to quash the impugned F.I.R. No.464 of 2025 dated 16.12.2025, for the offences punishable under Sections 3, 305, 331(3) & 5 of BNS, 2023, lodged at P.S. Kotwali Roorkee, District Haridwar and further to direct the Respondent no.2 not to arrest the Petitioners in connection with the aforementioned FIR. 5. Heard. 6. Admit. 7. There is a Compounding Application (IA No.01 of 2025) as Paper no.16 of the petition, wherein it is stated that the parties have come into the terms of compromise and the complainant (victim) does not wish to proceed with the matter any further. 8. The matter relates to a theft in a house, which was caught by CCTV camera, whereby the Petitioner no.1 (juvenile) is said to be committing the theft as caught in the



		CCTV footage and thereafter, proceeds of theft got parted to Petitioner no.2. 9. Respondent no.4, who is present before this Court in whose house the said theft took place, makes a submission that the Petitioner no.1 (juvenile) is the nephew of Respondent no.4 and both the Petitioners are under judicial custody regarding the offence of the present petition; Respondent no.4 further submits that he does not wish to proceed with the matter firstly, because Petitioner no.1 (juvenile) is his relative (nephew) secondly, the most of the theft articles have been recovered and now he does not want to proceed with the matter any further. 10. Learned counsel for the parties further submit that the Petitioners are in Sub-Jail, Roorkee, District Haridwar. 11. In the interest of justice, let direction be issued to the Jailer concerned for appearance of Petitioners through V.C. at 1:00 PM today. 12. Pre-lunch, it was noted whereby this Court had interacted with Respondent no.4, Raees Ahmad (complainant) S/o Asgar, who had made a statement before this Court that he does not want to proceed with the matter any further. 13. After lunch, as per order of the Court, Jailer, Sub-Jail Roorkee, District Haridwar makes an appearance through V.C. of Petitioners, who are in judicial custody. 14. There is a compounding application filed on behalf of the Petitioner no.1 - Sadab S/o Nafees is said to be 17 years of age and Petitioner no.2 – Amjad S/o Shamsher, both are present through V.C. from Sub-Jail Roorkee, District Haridwar facilitated by Jailer and is being identified by learned counsel for the Petitioners Mr. Vaibhav Singh Chauhan and Respondent no.4 – Raees Ahmad S/o Asgar is
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		also present before this Court and also being represented and identified by Mr. Shubhr Rastogi, learned counsel holding brief of Mr. Abhishek Joshi. 15. After interacting with the parties, the grounds are sufficient for allowing the compounding application as the Respondent no.4/complainant is the real uncle of the Petitioner no.1 (minor) and there was some misunderstanding between the parties, which gave rise to this FIR. Now, the dispute has been settled amicably between the parties, Respondent no.4 does not want to pursue the case against the Petitioners, therefore, the proceedings and other consequential order, if any, arising out of the F.I.R. in question may be quashed. 16. Learned State counsel poses his formal objection in this regard. 17. In view of the principle of law laid down by Hon'ble the Apex Court in the case of "<i>Gian Singh vs. State of Punjab</i>" reported in 2012 (10) SCC 303 as well as in Transfer Petition (Criminal) No. 115 of 2012 (<i>Dimpey Gujral vs. Union Territory of Chandigarh</i>) decided on 06.12.2012, criminal proceedings can be quashed by this Court, if this Court is satisfied with the facts and circumstances of the case. 18. Keeping in view of the totality of the facts and circumstances of the case, this Court is of the view that ends of justice would be met, if the entire proceedings against the Petitioners are hereby quashed. 19. In view of the above, the compounding application is allowed. The impugned F.I.R. No.464 of 2025 dated 16.12.2025, for the offences punishable under Sections 3, 305, 331(3) & 5 of BNS, 2023, lodged at P.S. Kotwali Roorkee, District Haridwar, is hereby quashed.
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		20. The concerned Jailer is directed to release the Petitioners forthwith, if not wanted in any other case, as the matter has been settled between the parties in connection with the aforesaid FIR. 21. Accordingly, the present writ petition (criminal) under Article 226 of the Constitution of India is, thus, disposed of in terms of the compromise arrived at between the parties. 22. Registry is directed to send a copy of this order to the Jailer, Sub-Jail Roorkee, District Haridwar for onward compliance of this order. (Ashish Naithani, J.) 22.12.2025 Akash AKASH
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