

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			C 482 No.1118 of 2018 <u>Hon'ble Siddhartha Sah, J.</u> Mr. Ankur Sharma, learned counsel for the applicants, Mr. Sandeep Sharma, learned AGA for the State/respondent no.1 and Mr. Pranav Singh, learned counsel holding brief of Mr. Manvendra Singh, learned counsel for the respondent no.2. 2. By means of the present C482 application, the applicants have sought quashing of the summoning order dated 12.03.2018 passed by learned Chief Judicial Magistrate, Dehradun in Case No.1320 of 2018, State vs. Akash Basnait alias Akash Kala and Others and further to quash the charge-sheet no.157 of 2017 dated 19.11.2017 as well as quashing the entire proceedings of the Criminal Case No.1320 of 2018, State vs. Akash Basnait alias Akash Kala and Others, under Sections 147, 452, 324 & 427 of the IPC, pending before the court of learned Chief Judicial Magistrate, Dehradun. 3. During the pendency of the C482 application before this Court, the Compounding Application (No.1314 of 2018 has been filed on behalf of the parties.

			4. Heard learned counsel for the parties on Compounding Application (CRMA No.1314 of 2018). 5. Applicant no.1-Akash Basnait alias Akash Kala, applicant no.2-Nivesh Khatri, applicant no.3-Nakul Khatri, applicant no.4-Anmol Khatri, applicant no.5-Shubham Basnait and applicant no.6-Nihal Kshetriya are present in-person before this Court. They are identified by Mr. Ankur Sharma, Advocate. 6. The respondent no.2 –Smt. Nilima Rana and injured-Yogender Singh Negi are present through video conferencing. They are identified by Mr. Pranav Singh, Advocate. 7. On interaction, injured-Yogender Singh Negi (through video conferencing) makes a statement that he is ready to compound the offence and does not wish to pursue the matter any further. 8. Respondent no.2-Smt. Nilima Rana (through video conferencing) also makes statement that she is ready to compound the offence and does not wish to pursue the matter any further. 9. The Compounding Application (CRMA No.1314 of 2018) has been filed on the premise that the respondent no.2 and injured are ready to get the offence
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		compounded. Applicants, respondent no.2 and injured have mutually agreed for compounding the case pending before the court by moving the appropriate application in this regard. It has also been stated that misunderstanding among the applicants as well as respondent no.2 and injured (Yogender Singh Negi) have been settled down and the injured is ready to compromise with the applicants. 10. Since the parties have entered into compromise, no useful purpose would be served to continue with the present application under Section 482 Cr.P.C. Accordingly, the charge-sheet and summoning order are liable to be set aside and the proceedings of criminal case are liable to be quashed. 11. Mr. Sandeep Sharma, learned AGA states that the offences are non-compoundable. 12. Hence, in view of the law laid down by Hon'ble the Apex Court in the case of Gian Singh vs. State of Punjab, 2012 (10) SCC 303, Dimpey Gujral vs. Union Territory, Chandigarh, (2013) 11 SCC 497, B.S. Joshi vs. State of Haryana, (2003) 4 SCC 675, Nikhil Merchant vs. CBI, (2008) 9 SCC 677, the compounding application deserves to be allowed.
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			13. Though the offences are not compoundable, but in view of the facts and circumstances of the case and as injured is ready to compound the offence and in view of the statement made by the injured as well as the respondent no.2 before the court, the compounding application deserves to be allowed. 14. The present Compounding Application (CRMA No.1314 of 2018) is hereby allowed. 15. The offences are permitted to be compounded. Thus, the summoning order dated 12.03.2018, the charge-sheet dated 19.11.2017 and the entire proceedings emanating thereof in Criminal Case No.1320 of 2018, State vs. Akash Basnait alias Akash Kala and Others under Sections 147, 452, 324 & 427 of the IPC are hereby quashed qua the applicants. 16. The C482 application is, accordingly, disposed of. 17. All pending applications, if any, stand disposed of accordingly. (Siddhartha Sah, J.) 11.06.2026 JKJ/
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