



2026:UHC:4336

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>Compounding Appl. No. 1 of 2026</u> <u>With</u> <u>WPCRL/779/2026</u> <u>Hon'ble Rakesh Thapliyal, J.</u> 1. Mr. Naveen Singh Bisht, learned counsel with Mr. Yogesh Upadhyay, learned counsel for the petitioner. 2. Mr. G.S. Sandhu, learned Addl. Advocate General with Mr. Sandeep Sharma, learned A.G.A. for the State. 3. Mr. Kaushal Sah Jagati, learned counsel for the respondent/complainant. 4. The instant writ petition has been moved on behalf of the petitioner Mohd. Nabi Raza, S/o Munne Shah praying for quashing of FIR dated 02.03.2026, bearing FIR No. 76 of 2026 lodged by respondent no. 3 Sukhjeet Kaur at P.S. Kunda, District Udham Singh Nagar wherein the petitioner has been implicated for the offences punishable under Section 351(3) read with Section 64 of BNS 2023. 5. This petition is filed along with the compounding application (IA No. 1 of 2026) with the affidavit of brother of the petitioner Mohammad Raza, as well as affidavit of the respondent/ complainant.. 6. In para 5 of the compounding application it is contended that due to intervention of some elderly persons, an amicable settlement has been arrived at between the parties and respondent no. 3 on her own free will and without any pressure, coercion or undue influence does not want to pursue with the impugned FIR. It is further contended that the impugned FIR was lodged under the provocation and influence of certain persons and in fact no such incident was happened. It is further contended that there is no dispute in between the petitioner and the respondent/complainant.



		7. Both the brother of the petitioner and respondent no. 3 are present in Court and identified by their counsel. Admittedly, the petitioner is in judicial custody and his vakalatnama is also on record which is counter signed by the Jailor of Sub Jail Haldwani on 27.04.2026. 8. Mr. G.S. Sandhu, learned Addl. Advocate General for the State submits that if the respondent/complainant does not want to pursue with the impugned FIR, there is no useful purpose to go with the investigation and the same will be a futile exercise. With regard to the fact that the petitioner is in judicial custody, Mr. Sandhu submits that this aspect will not come into the way while deciding the compounding application. 9. After hearing the arguments of the learned counsel for the parties and taking into consideration that respondent/complainant does not want to pursue with the impugned FIR and as contended by Mr. Sandhu, learned Addl. Advocate General that there is no useful purpose to go with the investigation since, applicant herself does not want to pursue with the impugned FIR, this Court is of the view that the compounding application deserves to be allowed. 10. Consequently, the compounding application as well as the instant writ petition are allowed, and the impugned FIR 02.03.2026, bearing FIR No. 76 of 2026 registered at P.S. Kunda, District Udham Singh Nagar is hereby quashed. (Rakesh Thapliyal, J.) 30.05.2026 Parul
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