

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.1/2026 (Compounding Application) with <u>C-528 No. 870 of 2026</u> Zakir Hussain Applicant Vs. State of Uttarakhand and others Respondent <u>Hon'ble Ashish Naithani, J.</u> Ms. Sheetal Selwal, learned counsel for the Applicant. 2. Mr. Pratiroop Pandey, learned AGA, for the State of Uttarakhand. 3. Mr. Sunny Kumar, learned counsel for the respondent nos, 2 and 3. 4. In the present Application filed under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023, the Applicant has put a challenge to the charge sheet dated 31.05.2024, cognizance/summoning order dated 12.07.2024 as well as the entire proceedings of Session Trial No. 0040 of 2025 (FIR No. 0074 of 2024), State Vs. Zakir Hussain for the offence punishable under Sections 323 and 376 IPC at Police Station Haldwani, District Nainital pending in the Court learned 1st Additional District Judge, Nainital, District Nainital. 5. Alongwith the present application a joined compromise application (IA No. 01 of 2026) Paper No. 23 has also been filed bearing the signatures of the parties and duly endorsed by the learned counsel for the applicant, Ms. Sheetal Selwal and learned counsel for the respondent no. 2 and 3 Mr. Sunny Kumar. The said application is supported by affidavits of the respective parties. 6. Today the applicant as well as respondent nos. 2 and 3 are present before this Court and have been duly identified by

		their respective counsels. 7. This Court has interacted with the applicant as well as respondent nos. 2 and 3. The respondent nos. 2 and 3 have categorically stated that they do not wish to proceed with the matter and they have come into the terms of the compromise with the Applicant without any undue influence. However, the said compounding application has been opposed on behalf of the State with the contention that some offences are non compoundable and it is prayed that the matter may not be compounded. 8. Considering the overall facts and circumstance of the case, and particularly, the fact that the parties have settled their dispute amicably, this Court finds ground sufficient for allowing the compounding application. 9. Heard learned counsel for the parties and perused the material available on record. 10. In view of the principle of law laid down by Hon'ble the Apex Court in the case of Gian Singh vs. State of Punjab reported in 2012 (10) SCC 303 as well as in Transfer Petition (Criminal) No. 115 of 2012 (Dimpey Gujral vs. Union Territory of Chandigarh) decided on 06.12.2012, criminal proceedings can be quashed by this Court, if this Court is satisfied that matter has been settled between the parties amicably and parties are interested to restore peace and harmony between them. 11. In view of the above, the compounding application is allowed. The entire proceedings of Session Trial No. 0040 of 2025 (FIR No. 0074 of 2024), State Vs. Zakir Hussain pending in the Court learned 1st Additional District Judge,
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		Nainital, District Nainital, are hereby quashed. 12. The Criminal Miscellaneous Application, filed under C-528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 is disposed of accordingly. (Ashish Naithani, J.) 11.05.2026 Anand/
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