



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>WPCRL/887/2026</u> Gaurav Kumar And Others Petitioners Versus State Of Uttarakhand Respondent <u>Hon'ble Alok Mahra, J.</u> Mr. D.C.S. Rawat, learned counsel for the petitioners. 2. Mr. Rakesh Joshi, learned A.G.A. along with Mr. Manoj Bhatt, learned Brief Holder for the State. 3. Mr. B.S. Bhandari, learned counsel for respondent nos.3 & 4. 4. By means of the present criminal writ petition filed under Article 226 of the Constitution of India, the petitioners seek issuance of a writ, order or direction in the nature of certiorari for quashing the Case Crime/F.I.R. No. 0127 of 2026 dated 07.04.2026, registered under Sections 109, 115(2), 351(2) and 352 of the B.N.S. at Police Station Jaspur, District Udham Singh Nagar along with all consequential proceedings arising therefrom. 5. Learned counsel for the petitioners would submit that the impugned F.I.R. has been lodged by respondent no.3 alleging that he runs a confectionery shop situated adjacent to an English liquor shop at Jaspur. It is alleged that on 06.04.2026, the petitioners came to his shop, purchased cold drinks and



		snacks and thereafter attempted to consume liquor within the premises and upon being objected to by the complainant, an altercation ensued between the parties. It is further alleged that, during the course of the altercation, the petitioners, in furtherance of their common intention, assaulted respondent no.4 with a sharp-edged weapon, causing multiple injuries on his abdomen, waist, thighs, back and knees, whereafter the injured was immediately taken to the hospital for medical treatment. 6. Learned counsel for the petitioners would further submit that the occurrence in question arose out of a sudden quarrel without any premeditation; that, during the pendency of the present writ petition, the parties have amicably resolved all their disputes and differences and have decided to maintain cordial relations. It is, therefore, contended that no useful purpose would be served by permitting the criminal proceedings to continue, particularly when the aggrieved persons themselves are no longer interested in prosecuting the matter. 7. It is further submitted that a Compounding Application, being I.A. No.1 of 2026, duly supported by separate affidavits sworn by the petitioners as well as respondent nos.3 and 4, has been filed before this Court. In the said application, the parties have categorically stated that they have entered into the compromise voluntarily, of their own free will and without any coercion, pressure, inducement or undue influence and have prayed that the impugned F.I.R. and all consequential proceedings be quashed in the interest of
--	--	---



			justice. 8. Learned State Counsel would oppose the prayer for quashing. However, he does not dispute the filing of the compounding application before this Court. 9. Learned counsel appearing for respondent nos.3 and 4 would fairly submit that the dispute between the parties has been amicably settled and that respondent nos.3 and 4 have no objection if the impugned F.I.R. and all consequential proceedings arising therefrom are quashed in view of the compromise arrived at between the parties. 10. Learned counsel for the petitioners also submits that petitioner nos.2 and 3 are present in person before this Court. Petitioner no.1 is presently in judicial custody in connection with the present case and, therefore, could not be produced before this Court. However, his father is present in Court and has been duly authorised to represent him for the purpose of affirming the compromise. 11. Petitioner nos.2 and 3, the authorised representative/father of petitioner no.1, respondent no.3 (the informant) and respondent no.4 (the injured) are present before this Court and have been duly identified by their respective learned counsel. 12. Upon interaction with the Court, respondent no.4, the injured, stated that the incident had occurred due to a sudden altercation and that the dispute has now been amicably settled. He categorically stated that he has no grievance against the petitioners and has no objection if the impugned F.I.R. and all consequential proceedings are
--	--	--	--



			quashed. 13. Respondent no.3, the informant and uncle (chacha) of respondent no.4, also stated before this Court that the F.I.R. was lodged on account of the incident arising out of the sudden quarrel and that the parties have since resolved their disputes amicably. Both respondent nos.3 and 4 unequivocally stated that the compromise has been entered into voluntarily, without any coercion, inducement or undue influence, and that they do not wish to pursue the criminal proceedings any further. 14. Heard learned counsel for the parties and perused the material available on record. 15. The Hon'ble Supreme Court in <i>Gian Singh v. State of Punjab</i>, (2012) 10 SCC 303; <i>Narinder Singh v. State of Punjab</i>, (2014) 6 SCC 466; and <i>State of Madhya Pradesh v. Laxmi Narayan</i>, (2019) 5 SCC 688, has held that the High Court may, in exercise of its extraordinary jurisdiction, quash criminal proceedings involving offences having overwhelmingly civil, commercial or personal flavour where the parties have genuinely settled their disputes, provided that such offences are not heinous or of such nature as to have a serious impact on society or public interest. 16. In the present case, the allegations emanate from a personal dispute arising out of a sudden altercation. The injured as well as the informant have appeared before this Court and have categorically stated that they have voluntarily settled their disputes with the petitioners and do not intend to pursue the criminal proceedings. This Court is satisfied that
--	--	--	---



			the compromise is genuine, voluntary and free from any coercion or undue influence. Having regard to the nature of the dispute, the settlement arrived at between the parties and the law laid down by the Hon'ble Supreme Court, this Court is of the considered opinion that the possibility of conviction is remote and continuation of the criminal proceedings would amount to an abuse of the process of law and would not serve the ends of justice. 17. Accordingly, the Compounding Application (I.A. No.1 of 2026) is allowed. 18. Consequently, the Case Crime/ F.I.R. No. 0127 of 2026 dated 07.04.2026, registered at Police Station Jaspur, District Udham Singh Nagar, together with all consequential proceedings arising therefrom, is hereby quashed <i>qua</i> the present petitioners. 19. It has been brought to the notice of this Court that petitioner no.1 is presently in judicial custody in connection with the aforesaid case. In view of the quashing of the impugned F.I.R. and all consequential proceedings, petitioner no.1 shall be released forthwith, if his custody is not required in connection with any other case. 20. The criminal writ petition is, accordingly, allowed. 21. Pending applications, if any, shall stand disposed of accordingly.
--	--	--	--

Mamta

MA
MTA
RANI

Digitally signed by MAMTA
RANI
DN: c=IN, o=HIGH COURT
OF UTTARAKHAND,
ou=HIGH COURT OF
UTTARAKHAND,
2.5.4.20=6a812005bebf46f
244f3e584af1449e430ef900
bf09a6d67ebb642671329b
, postalCode=263001,
st=Uttarakhand,
serialNumber=5de1751a4f1
d9cabfd54852c9e68911ca8
b66dd26690a191648ab5d8
dd004ef0, cn=MAMTA RANI
Date: 2026.07.23 10:43:39
+05'30'

(Alok Mahra, J.)
22.07.2026