

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS  2026:UHC:4644
			C528 No.1290 of 2026 <u>Hon'ble Rakesh Thapliyal, J.</u> Mr. Vaibhav Singh Chauhan, learned counsel for the applicant. 2. Ms. Meenakshi Sharma, learned AGA, for the State of Uttarakhand/1. 3. Mr. Abhishek Joshi, learned counsel for the respondent nos.2 and 3. 4. This instant petition has been moved by the applicant – Deepak under Section 528 of BNSS, 2023, along with the compounding application (IA No.01 of 2026) for quashing the entire proceedings of Special Sessions Trial No.103 of 2024, "State Vs. Deepak" wherein, the present applicant is facing the trial for the offences punishable under Sections 363, 366, 376 (2) (n) and 376 (3) of IPC and under Sections 3 (a)/4(2) and 5 (I)(j)(ii)/6 of the POCSO Act. 5. The compounding application is signed by the applicant and the respondent no.3/victim alongwith their affidavits and both are present in person before this Court and are identified by their respective counsels. 6. The brief facts of the case are that an FIR was lodged by the respondent no.2 on 08.12.2023 bearing FIR No.855 of 2023, wherein, after investigation the chargesheet was filed on 15.07.2024, wherein, after taking cognizance, the applicant was summoned to face the trial. 7. In the compounding application, it is contended that the applicant now married with the respondent no.3/victim on 30.11.2023, at "Shiv Mandir Tehsil Parisar, Roorkee, District Haridwar", and their marriage is also registered in the office of Registrar, Compulsory Registration of Marriage, Roorkee, Haridwar. 8. It is further contended that from this wedlock, two child were born on 13.09.2024 and 01.01.2026. It is contended that since now the applicant married with the victim and their marriage is also registered, from which two child were born, therefore, the continuation

		of trial will disrupt their matrimonial life as well as the future of their minor children. The children are also present along with the applicant and the respondent no.3/victim. 9. <i>Per contra</i> learned State Counsel submits that at the time of the incident, the victim was minor. However, she has not disputed about their marriage, which is registered. 10. Ms. Meenakshi Sharma, learned AGA submits that though the offences are non compoundable, but taking into consideration that the applicant and the victim married with each other and from their marriage there are two child, therefore, taking into consideration that the continuation of trial will disrupt their matrimonial life and future of the children, therefore the proceedings can be quashed by allowing the compounding application (IA No.1 of 2026). 11. After hearing the arguments of the learned counsel for the parties, and taking into consideration that now the applicant married with the victim and from their marriage two child are also born and they all are living happily and in such a situation, if the trial court proceedings is continued then certainly it will disturbed their matrimonial life as well as the future of two minor children. Ever otherwise since now the victim married with the applicant, therefore, continuation of trial will be a futile exercise and there are very remote chances of conviction of the applicant. 12. In view of the observations as above, the present C528 application as well as the compounding application are allowed, and the trial court proceedings i.e. Special Sessions Trial No.103 of 2024, "State Vs. Deepak" wherein the applicant is facing trial for the offences punishable under Sections 363, 366, 376 (2) (n) and 376 (3) of IPC read with Sections 3 (a)/4(2) and 5 (I)(j)(ii)/6 of the POCSO Act, which is pending in the court of learned Additional District and Sessions Judge/Special Judge POCSO, District Haridwar, is quashed. (Rakesh Thapliyal, J.) 10.06.2026 Nitesh/
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