

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:4328
			IA No.3/2026 (Compounding Application) with <u>CRLA No.264 of 2021</u> <u>Hon'ble Ashish Naithani, J.</u> Mr. M.S. Pal, learned senior counsel assisted by Ms. Sarita Bisht, learned counsel for the Appellant. 2. Mr. S.S. Chauhan, learned DAG with Mr. Vikash Uniyal, learned Brief Holder, for the State of Uttarakhand. 3. Ms. Amreen Bano, learned counsel for the Complainant. 4. Appellant was convicted for the offence punishable under Section 304 part (2) of IPC and under Section 30 of the Arms Act, 1959, and sentenced to undergo five years rigorous imprisonment with a fine of Rs.5,000/-, and in default of payment of fine, additional simple imprisonment for a period of six months; and sentenced to undergo six months rigorous imprisonment with a fine of Rs.2,000/- vide judgment and order dated 31.08.2021, passed by the court of learned Additional Sessions Judge, Khatima, Udham Singh Nagar in Sessions Trial No.96/2019, "State Vs. Major Singh". Challenging his conviction and sentence, Appellant has filed this appeal. 5. Along with the present criminal appeal, there is a compounding application filed on behalf of the Appellant as well as the complainant, wife of the victim/deceased, stating, therein, that now being a family members, parties have entered into the terms of the compromise and complainant/widow specifically submits that she does not

		wish to proceed with the matter, as the Appellant being the brother-in-law of the deceased husband. 6. Compounding application is being annexed with the signatures of the parties as well as endorsement of their respective learned counsel. 7. Compounding application has been objected on behalf of the learned State Counsel with the statement that the offence is serious, and the Appellant had shot his own brother-in-law with his revolver taking the life of the deceased, husband of the complainant/wife, and he was convicted, after having found guilty under the aforesaid offences. 8. Complainant/widow of the deceased, is present in person before this Court and so is the Appellant, along with their learned counsel. 9. After interacting with the Complainant, widow of the deceased husband, learned Trial Court found the Appellant main cause of death, and the Appellant had been held responsible, and thus, found guilty and sentenced. 10. After interacting with the parties and on perusal of the records, this Court finds the ground for allowing the compounding application to be sufficient. 11. 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. 12. Heard learned counsel for the parties and perused the material available on record. 13. 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. 14. In view of the above, the compounding application is allowed. The entire proceedings of the Sessions Trial No. 96/2019, “State Vs. Major Singh” passed by the court of learned Additional Sessions Judge, Khatima, Udham Singh Nagar, vide judgment and order dated 31.08.2021, under Section 304 (2) of IPC and under Section 30 of the Arms Act, 1959, are hereby quashed, subject to the fine of Rs.1,00,000/- (Rupees One Lakh only), which is to be deposited in favour of the Complainant/wife, who is widow, by the Appellant – Major Singh, within a period one month from today. 15. The present criminal appeal is disposed of accordingly. File is consigned to the record room. 16. Let Trial Court Record be sent back to the court concerned. (Ashish Naithani, J.) 01.06.2026 Nitesh/
--	--	---