

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>C482/1228/2021</u> Rais Ahmad Alias Rajan and another --Applicants Versus State Of Uttarakhand and Another --Respondents <u>Hon'ble Siddhartha Sah, J.</u> Mr. Rajat Mittal, learned counsel for the applicants. 2. Mr. Pankaj Joshi, learned A.G.A. for the State. 3. Mr. Vikas Bahuguna, learned counsel for the respondent no.2. 4. The applicants Mr. Rais Ahmad alias Rajan and Shafiq Ahmad, are present through video conferencing duly identified by Mr. Rajat Mittal, Advocate. 5. Smt. Rajni Devi, the respondent no.2 is present through video conferencing duly identified by Mr. Vikash Bahguna, Advocate. 6. Mr. Sonu Kumar, the victim, is present through video conferencing duly identified by Mr. Vikas Bahuguna, Advocate. 7. The applicants have filed this Criminal Misc. Application under Section 482 of the Cr.P.C. for the following reliefs :- <i>"It is, therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to set aside/quash the impugned chargesheet dated 26.07.2021 in FIR No. 121/2021, U/s 323, 352, 504, 506 of IPC and Section 3(1)(n)(k) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, 1989 (Amendment 2015) as well as the cognizance and summoning order dated 03.08.2021 passed by Special Judge (Schedule Castes & Schedule Tribes (Prevention of Atrocities)</i>

			Act, 1989)/Vth Additional Sessions Judge, Dehradun in S.S.T. No. 3 of 2021, whereby the present applicant no. 1 has been summoned to face the trial U/s 323, 352, 504, 506 of IPC and applicant no.2 has been summoned under Section 504 IPC to face the Trial, Dehradun, otherwise applicants shall suffer irreparable loss and injury.” 8. During the pendency of the present Criminal Misc. Application under Section 482 of the Cr.P.C., a Compounding Application (IA No.3 of 2026) has been filed duly supported by affidavit on behalf of the victim Sonu Kumar S/o Shri Baburam, resident of 75 Sangam Vihar, Near Balliwala Chowk, P.S. Basant Vihar, Dehradun. In the said affidavit, the victim has stated that during the pendency of the present application, the parties have got their dispute settled amicably outside the Court and now ready to get the offences compounded. Affidavits have been filed on similar lines on behalf of the respondent no.2 and the applicants in support of the Compounding Application. 9. On an interaction with the victim, Sonu Kumar, he reiterates that the parties have got settled their disputes amicably and he wishes to compound the offence against the applicant and does not wish to pursue the matter any further. 10. The Court also interacted with the respondent no.2 Smt. Rajni Devi / complainant and she has also reiterates that the matter has got settled between the parties outside the Court and she is ready to get the offences compounded and does not want to pursue the matter any further. 11. The Court also interacted with the applicants, who also state that the parties have buried their differences, as such, the Compounding Application may be allowed. 12. Learned A.G.A. for the State objects that some of the offences are not compoundable, however, the dispute appears to be private in nature. It also needs to be mentioned that in the cases of “B.S. Joshi and others vs. State of Haryana and another”, (2003) 4 SCC 675, “Nikhil Merchant vs. CBI and another”, (2008) 9 SCC 650 and “Gian Singh vs. State of Punjab”, 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, the Hon’ble Supreme Court has permitted
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			the compounding of non-compoundable offence and has held that in exercise of power under Section 482 of Cr.P.C., compounding can be done in non-compoundable offences. 13. Hence, the objection raised by the State counsel is not sustainable. 14. Since the matter has already been resolved between the parties, hence, it will be a futile exercise to let the matter go for trial against the applicant. 15. Considering the overall facts and circumstances of the case, the Compounding Application (IA No. 3 of 2026) deserves to be allowed. The Compounding Application is accordingly allowed. 16. As a consequence thereof, the impugned chargesheet dated 26.07.2021 in FIR No. 121/2021, U/s 323, 352, 504, 506 of IPC and Section 3(1)(n)(k) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amendment 2015) as well as the cognizance and summoning order dated 03.08.2021 passed by Special Judge (Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989)/Vth Additional Sessions Judge, Dehradun in S.S.T. No. 3 of 2021 & entire proceedings of the said case qua the present applicant no.1 under Sections 323, 352, 504 & 506 IPC and applicant no.2 under Section 504 IPC, are hereby quashed. 17. The present criminal Misc. Application is disposed accordingly. 18. Pending application, if any, stands disposed of accordingly. (Siddhartha Sah, J.) 09.07.2026 Shiv/
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