



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>C528/1440/2026</u> With <u>Compounding Appl. No. 1 of 2026</u> Istakar Alias Rinku And Others --Applicants Versus State Of Uttarakhand and others --Respondents With C528 No. 1441 of 2026 With Compounding Appl. No. 1 of 2026 Sandeep Dubey and others --Applicants Versus State Of Uttarakhand and others --Respondents <u>Hon'ble Rakesh Thapliyal, J.</u> 1. Mr. Ajay Joshi, learned counsel for the applicants. 2. Mr. Sandeep Sharma, learned A.G.A. for the State. 3. Mr. Rajat Mittal, learned counsel for the respondents. 4. These two petitions are moved by the petitioners along with the compounding applications for quashing of the proceedings, arising out of two FIRs dated 26.06.2021 bearing FIR No. 0284 of 2021, and FIR dated 26.06.2021 bearing FIR No. 0285 of 2021 lodged at P.S. Vikas Nagar, District Dehradun. Both these two FIRs are cross FIRs and in both the FIRs on culmination of the investigation charge sheets have been filed. 5. In FIR No. 0284 of 2021, in total 11 persons have been charge sheeted for the offences punishable under Sections 147, 323,



			504, 506 and 34 IPC. So far as FIR No. 0285 of 2021 is concerned, in total five persons have been charge sheeted for the offences punishable under Sections 384, 504 and 506 IPC. Applicants of both the petitions and the respondent (injured and informant) are present in Court and are identified by their counsel. 6. It is contended in the compounding application that the petitioners and the respondents are residing in the same locality and they known to each other and for some minor issues the incident was happened and now due to intervention of respectable persons of the society they have settled their dispute and their relations are cordial and they have no grudge against each other. It is also submitted by the learned counsel for the parties that petitioners of both the petitions in future will not indulge in any criminal activity and will not create any atmosphere of terror in the society. 7. In C528 No. 1440 of 2026 in total there are 11 persons who have been charge sheeted. Applicant no. 1 Istakar @ Rinku, S/o Jamshad has a criminal antecedent of one case, similarly applicant no. 6 Suleman, S/o Lateef has a criminal antecedent of two cases and so far as applicant no. 11 Deepak Rana , S/o Jeevan Singh Rana is concerned he has a criminal antecedent of three cases. Similarly respondent no. 3 Waheed Ahmad, S/o Late Jahur Ahmad who is one of the applicant in connected C528 No. 1441 of 2026 have also criminal antecedent of three cases. Another C528 No. 1441 of 2026 has been preferred by five persons out of which two persons, i.e. applicant no. 1 and 2 who are real brothers have a criminal antecedent of three cases and other applicants and respondents have no criminal antecedents. 8. Mr. Sandeep Sharma, learned A.GA.
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		for the State raised an objection on the compounding application by submitting that firstly the offence as alleged is a crime against the society because all these persons in a organized manner created atmosphere of terror in the society. He further submits that some of the accused persons have criminal antecedents, therefore, in such an eventuality the offence cannot be compounded, however, he submits that undisputedly all the petitioners and the respondents are residing in the same locality and since now due to intervention of elderly person they have settled their disputes and their relations are now cordial and today they undertake that they will not indulge in any criminal activity in future and will not create any atmosphere of terror in the society therefore this aspect can be looked into while considering the compounding application. He also submits that taking into consideration that some of the persons who are having criminal antecedent, some stringent condition may also be imposed upon them so that in future they will not indulge in any criminal activity and some exemplary cost should also be imposed upon them. 9. After hearing the submissions of the learned counsel for the parties and taking into consideration that all the petitioners and the respondents are residing in the same locality and now they have settled their dispute, therefore, in such an eventuality there is no useful purpose to continue with the proceeding, and even otherwise, there is no possibility of conviction since, now, they have settled their dispute amicably and now taking into consideration the undertaking as given by the learned counsel for the applicant and the informant that these persons will not indulge in criminal activity in future, this Court is of the view that
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			continuation of the proceeding at this juncture when the parties have settled their dispute will be a futile exercise but taking into consideration submission as advanced by learned counsel for the State that some stringent condition may be imposed upon the persons who have criminal antecedent, in such view of the matter both the instant petitions preferred along with the compounding applications are allowed and the impugned proceeding arising out of the FIR dated 26.06.2021 bearing FIR No. 0284 of 2021 FIR dated 26.06.2021 bearing FIR No. 0285 of 2021 are hereby quashed subject to the following conditions:- (i) All the applicants who have been charge sheeted will not indulge in any criminal activity in future and will not create unhealthy atmosphere in the society. (ii) The applicants who have criminal antecedent shall report to the nearest police station on first of every month for one year from today and the concerned S.H.O. shall record their presence. (iii) The applicants/respondents who have criminal antecedents shall pay a cost of Rs. 25,000/- each to be deposited in the account of Advocates' Welfare Fund within a month from today. It is made clear that on an eventuality of breach of any condition as aforesaid, the prosecution is directed to move an application for recall of this order. Regarding deposit of cost they shall file a receipt immediately on expiry of one month. (Rakesh Thapliyal, J.) 15-07-2026 Parul
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