



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>C528/1449/2026</u> With IA 1/2026 (For Compounding Application) Tushar --Applicant Versus State Of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> 1. Mr. Saurabh Kumar Pandey, learned counsel for the applicant. 2. Mr. Bhaskar Chandra Joshi, learned A.G.A. for the State. 3. Mr. Harshit Bhatt, learned counsel for the respondent. 4. The instant petition has been preferred under section 528 of BNSS, 2023, by the present applicant Tushar S/o Yash Pal Arora along with the compounding application, wherein, he is praying for quashing of Special Session Trial No. 133 of 2024 arising out of Case Crime No. 356 of 2024, wherein, the present applicant is summoned to face the trial for the offences under sections 363, 366, 376(2)(n), 376(3) of IPC and 51/6 of POCSO Act, P.S. Kotwali Haridwar, pending in the court of Special Judge (POCSO)/Additional District and Session Judge, Haridwar, District Haridwar. 5. The applicant and the victim as well as the informant, who is the father of the victim, are present in court and are identified by their counsel. 6. It is contended in the compounding application that during trial court proceeding the family members of both have decided to marry the applicant with the victim and due to such settlement both of them were married on 20.12.2024 and from their marriage one child was born on 19.01.2026 and the birth certificate is also placed on record, which was issued by the Registrar (Birth and Death), Nagar Nigam, Gurugram.



		7. It is also contended that on the date when both of them married the victim attains the age of majority. The victim's father who is the informant is also present in court along with the child. He also submits that since now he has accepted happily their marriage and the present applicant is his son-in-law because of this marriage and he does not want to pursue with the proceeding since now the applicant is living with the victim, the daughter of the informant, along with new born baby and if such a proceeding is permitted to continue it will affect their matrimonial life as well as future of new born baby. 8. On the other side, Mr. Joshi, learned A.G.A. submits that the offences are not compoundable but keeping in view of the fact that the applicant married with the victim and from their marriage one child was born on 19.01.2026 and the informant, the father of the victim, does not want to proceed with the trial, therefore, in such an eventuality, continuation of the trial, which is under challenge, is completely a futile exercise, therefore, taking into consideration all these new developments the proceedings can be closed by allowing the compounding application. 9. After hearing the arguments of learned counsel for the parties as well as the statement of learned State counsel though the offences are not compoundable but taking into consideration that the applicant married with the victim and their marriage was also accepted by the father of the victim and from their marriage one child was also born, this court is of the view that the compounding application deserves to be allowed. Even otherwise, if such a proceeding is permitted to continue then it will affect the matrimonial life as well as the future of the child. 10. In such view of the matter, the instant petition as well as the compounding application are allowed and the entire proceeding of Special Session Trial No. 133 of 2024 pending in the court of Special Judge (POCSO)/Additional District and Session Judge, Haridwar, District Haridwar, is also hereby quashed. (Rakesh Thapliyal, J.) 08.07.2026 PR
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