



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>C528/1481/2026</u> Savej and another Applicants Versus State Of Uttarakhand Respondent <u>Hon'ble Alok Mahra, J.</u> Mr. Akshay Pradhan, learned counsel for the applicants. 2. Mr. Sandeep Sharma, learned A.G.A. for the State. 3. Mr. Gaurav Singh, learned counsel for respondent nos.2 to 4/complainants. 4. Present C-528 application has been filed seeking quashing of the charge-sheet as well as the entire proceedings of Criminal Case No.301 of 2025, under Sections 109, 190, 191(2), 191(3), 115(2), 333, 352, 351(2), of the B.N.S.S. pending in the court of learned A.C.J.M./Civil Judge (S.D.), Laksar, District Haridwar arising out of F.I.R. No. 180 of 2026 as well as the entire proceedings of the aforesaid case. 5. Learned counsel for the applicants would submit that respondent nos.2, 3 & 4 lodged F.I.R. No.180 of 2026, pursuant to which the police conducted investigation and ultimately submitted a charge-sheet against the applicants; that, on the basis of the said charge-sheet, the learned trial Court took cognizance and registered Criminal Case No.301 of 2025; that, the dispute arose on account of an altercation between the parties regarding the boundary of their agricultural land. It is further submitted that, in respect of the very same incident, a cross F.I.R. was also



			lodged by the mother of the applicants against the complainant side, which clearly demonstrates that the occurrence emanated from a sudden quarrel between the two families. 6. Learned counsel for the applicants would further submit that, during the pendency of the proceedings, the parties have amicably resolved all their disputes and have decided to maintain cordial relations in future. In this regard, a joint compromise application (I.A. No.1 of 2026), duly supported by the affidavits of the applicants and respondent nos.2 to 4, has been filed before this Court, wherein it has been categorically stated that the dispute has been settled voluntarily, without any coercion, undue influence or pressure, and that respondent nos.2 to 4 do not wish to prosecute the applicants any further. It is also submitted that the present applicants are presently in judicial custody; therefore, the affidavits on their behalf have been sworn by their mother. 7. Learned counsel for respondent nos.2 to 4 supports the submissions advanced on behalf of the applicants and submits that the compromise has been voluntarily arrived at between the parties and that respondent nos.2 to 4 have no objection if the criminal proceedings arising out of the aforesaid F.I.R. are quashed. 8. The mother of applicant nos. Savej and Sultan as well as respondent nos.2 to 4 are present before this Court and have been duly identified by their respective learned counsel. Upon interaction with the Court, respondent nos.2 to 4 have unequivocally stated that they have amicably settled the dispute with the applicants of their own free will and volition and do not wish to pursue the criminal proceedings any further. They
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		have further stated that the compromise has been entered into voluntarily and without any coercion, inducement or undue influence, and that they have no objection if the charge-sheet and the consequential criminal proceedings are quashed. 9. Learned State Counsel would oppose the application on the ground that the offences alleged are non-compoundable in nature. However, he does not dispute the fact that the parties have entered into a compromise and that the joint compromise application is duly supported by their respective affidavits. 10. Heard learned counsel for the parties and perused the material available on record. 11. From the record, it transpires that the criminal proceedings emanate from a dispute arising out of an altercation between the parties regarding of their agricultural land. It further appears that a cross F.I.R. has also been lodged by the applicants' side in respect of the same incident, indicating that the occurrence arose out of a personal dispute between the two families. Respondent nos.2 to 4, who are present before this Court, have categorically stated that they have amicably resolved the dispute and do not wish to continue with the prosecution. Upon interacting with them, this Court is satisfied that the compromise is genuine, voluntary and has been entered into without any coercion, undue influence or pressure. 12. It is true that the offences alleged in the present case are non-compoundable. Nevertheless, it is equally well settled that the inherent jurisdiction of the High Court under Section 482 Cr.P.C./528 B.N.S.S. is of wide amplitude and may be exercised to quash criminal proceedings where the
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			dispute is predominantly private or personal in nature and where continuation of the criminal proceedings would amount to abuse of the process of the Court or would otherwise defeat the ends of justice. 13. In <i>Gian Singh v. State of Punjab</i>, (2012) 10 SCC 303, the Hon'ble Supreme Court held that the High Court may, in exercise of its inherent jurisdiction, quash criminal proceedings involving non-compoundable offences where the dispute is essentially private in nature and the compromise between the parties would advance the ends of justice. In <i>Narinder Singh and others v. State of Punjab and another</i>, (2014) 6 SCC 466, the Hon'ble Supreme Court laid down the guiding principles governing the exercise of inherent powers for quashing criminal proceedings on the basis of compromise and observed that the Court must examine the nature of the offence, the antecedents of the parties, the stage of the proceedings and whether continuation of the prosecution would serve any useful purpose. Likewise, in <i>Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others v. State of Gujarat and another</i>, (2017) 9 SCC 641, the Hon'ble Supreme Court reiterated that the inherent power of the High Court is intended to secure the ends of justice and prevent abuse of the process of law, and that each case must be examined on its own facts to determine whether quashing would be justified. 14. Having regard to the nature of the dispute, the fact that it arose out of a personal altercation between the parties, the existence of a cross F.I.R., the voluntary settlement arrived at between the parties, and the categorical statements made by respondent nos.2 to 4 before this Court that they do not wish to pursue the
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			criminal proceedings, this Court is of the considered opinion that the possibility of securing a conviction is extremely remote. Continuation of the criminal proceedings, in the peculiar facts and circumstances of the case, would serve no useful purpose and would amount to an abuse of the process of the Court. 15. Consequently, this Court is satisfied that the present case is a fit one for exercising its inherent jurisdiction under Section 528 of the B.N.S.S. to secure the ends of justice. 16. Accordingly, the compounding application (I.A. No.1 of 2026) stands allowed. Consequently, the charge-sheet as well as the entire proceedings of Criminal Case No.301 of 2025, pending before the Court of learned A.C.J.M./Civil Judge (Senior Division), Laksar, District Haridwar, arising out of F.I.R. No.180 of 2026, are hereby quashed <i>qua</i> the applicants. 17. Since applicants Savej and Sultan are stated to be in judicial custody in connection with the present case, they shall be released forthwith, if not required to be detained in connection with any other case, subject to compliance with all requisite formalities. 18. The present application under Section 528 of the B.N.S.S., is accordingly allowed and disposed of. 19. Pending applications, if any, shall also stand disposed of. MA MTA RANI (Alok Mahra J.) 13.07.2026
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