



| SL. No. | Date | Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures | COURT'S OR JUDGE'S ORDERS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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|         |      |                                                                                                  | <p><b><u>C528/1803/2026</u></b></p> <p>Wazid Ali And Ors<br/>--Applicant</p> <p><b>Versus</b></p> <p>State Of Uttarakhand<br/>--Respondent</p> <p><b><u>Hon'ble Rakesh Thapliyal, J.</u></b></p> <ol style="list-style-type: none"> <li>1. Ms. Sheetal Selwal, learned counsel for the applicants.</li> <li>2. Ms. Meenakshi Sharma, learned AGA for the State.</li> <li>3. Mr. Sunny Kumar, learned counsel for the respondent no. 2.</li> <li>4. The instant petition is moved under Section 528 of BNS, 2023 by Wazid Ali, son of Adbul Wahid, Mohd. Shahid, son of Mohd. Iqbal and Saleem, son of Faruk for quashing of the entire proceedings of Criminal Case No. 68 of 2024, arising out of FIR No. 80 of 2023, (State Vs. Wazid and others) wherein present applicants have been summoned to face the trial for offences punishable under Section 323, 363 and 504 IPC.</li> <li>5. The instant petition is moved along with the compounding application with the affidavit of applicants and respondent no. 2 - complainant.</li> <li>6. All the applicants and respondent no. 2 are present in the Court and all are duly identified by their respective counsel.</li> <li>7. It is contended in the compounding application that first information report was lodged about the missing of son of respondent no. 2 and after few hours of the FIR, he returned to home and FIR was lodged due to misunderstanding and in a very haste manner. It is further submitted by the learned counsel for the applicants that both the applicants and informant are residents of the same village and they were</li> </ol> |



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|  |  | <p>known to each other since long back and they have resolved their dispute amicably and now, their relations are cordial and they have no any grudge against each other, therefore, instant proceedings be closed.</p> <p>8. On the other side, learned State Counsel submits that after collecting all the credible evidence charge sheet has been filed but now, since the informant herself does not want pursue the trial, therefore, there is no useful purpose to continue with the trial. She further submits that all the offences are compoundable except the offence punishable under Section 363 IPC but the same can be compounded with the leave of the Court.</p> <p>9. After hearing the learned counsel for the parties and taking into consideration that both the parties have resolved their dispute amicably and all the offences compoundable except the offence punishable under Section 363 IPC and considering the fact that after lodging of the FIR, victim came back to home within 2 - 3 hours, this Court is of the view that offence under Section 363 should also be compounded. Accordingly, compounding application i.e I.A. No. 1 of 2026 as well as instant C528 petition are allowed.</p> <p>10. Consequently, entire proceedings of Criminal Case No. 68 of 2024, (State Vs. Wazid and others) wherein present applicants have been summoned to face the trial for offences punishable under Section 323, 363 and 504 IPC arising out of first information report No. 80 of 2023, Police Station - Banbhulpura, Haldwani, District - Nainital, pending in the court of learned Judicial Magistrate - 1, Haldwani, District - Nainital is hereby quashed.</p> <p style="text-align: right;"><b>(Rakesh Thapliyal, J.)</b><br/>18.08.2026</p> <p>SKS</p> |
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