



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>C528/1995/2025</u> Amit Dand Pathak --Applicant Versus State Of Uttarakhand and Another --Respondents <u>Hon'ble Alok Mahra, J.</u> Ms. Neeti Rana, learned counsel for the applicant. Mr. Dinesh Chauhan, learned A.G.A. for the State of Uttarakhand. Mr. Pawan Sanwal, learned counsel for respondent no. 2. 2. The present Application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed on behalf of the applicant seeking quashing of the charge-sheet dated 21.05.2025, the summoning order dated 13.08.2025, as well as the entire proceedings of Criminal Case No. 5603 of 2025, State vs. Amit Dand Pathak, registered under Sections 109(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, at Police Station Raipur, District Dehradun, pending in the Court of the learned VIth Additional Civil Judge (S.D.)/A.C.J.M., Dehradun, qua the present applicant. 3. Along with the present application, a Compounding Application (I.A. No. 03 of 2026) has also been filed. The said application bears the signatures of both the parties and has been duly identified by the learned counsel for the applicant, Ms. Neeti Rana, Advocate, and the learned counsel for Respondent No. 2, Mr. Pawan Sanwal, Advocate. The application is supported by the affidavits of the respective parties, wherein it has



		been averred that the parties have amicably resolved their disputes and that Respondent No. 2 does not wish to pursue the criminal proceedings any further. 4. The applicant and Respondent No. 2 are present before this Court through video conferencing and have been duly identified by their respective learned counsel. 5. This Court has interacted with Respondent No. 2. During the course of such interaction, Respondent No. 2 has stated that, due to a misunderstanding, the FIR came to be lodged. He has further stated that he does not wish to prosecute the matter any further and has no objection if the present application is allowed and the criminal proceedings are quashed. 6. Learned State Counsel has opposed the application on the ground that the offence punishable under Section 109 of the Bharatiya Nyaya Sanhita, 2023, is non-compoundable. In response, learned counsel for the applicant submits that the injuries sustained by the informant are simple in nature and that the ingredients of Section 109 of the Bharatiya Nyaya Sanhita, 2023, are not attracted. It is further submitted that the dispute has been amicably settled between the parties. 7. Upon interacting with Respondent No. 2 and considering the material available on record, this Court is satisfied that the compromise has been entered into voluntarily, without any coercion, pressure or undue influence from any quarter. Respondent No. 2 has unequivocally expressed his desire not to pursue the criminal proceedings any further. 8. Having regard to the peculiar facts and circumstances of the case, the
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			nature of the allegations, the voluntary settlement arrived at between the parties, and the law laid down by the Hon'ble Supreme Court in <i>Gian Singh v. State of Punjab</i>, (2012) 10 SCC 303, <i>Narinder Singh v. State of Punjab</i>, (2014) 6 SCC 466, and <i>State of Madhya Pradesh v. Laxmi Narayan</i>, (2019) 5 SCC 688, this Court is of the considered opinion that continuance of the criminal proceedings would serve no useful purpose and would amount to an abuse of the process of the Court. The ends of justice would be better served by quashing the proceedings. 9. Accordingly, the Compounding Application (I.A. No. 03 of 2026) is allowed. Consequently, the charge-sheet dated 21.05.2025, the summoning order dated 13.08.2025, as well as the entire proceedings of Criminal Case No. 5603 of 2025, State vs. Amit Dand Pathak, registered under Sections 109(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, at Police Station Raipur, District Dehradun, pending in the Court of the learned VIth Additional Civil Judge (S.D.)/A.C.J.M., Dehradun, qua the present applicant, are hereby quashed. 10. Consequently, the present Criminal Miscellaneous Application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, stands disposed of accordingly. (Alok Mahra, J.) 06-08-2026 SB
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