HIGH COURT OF UTTARAKHAND AT NAINITAL

Criminal Misc. Application No. 594 of 2020

Neeraj Kumar ..... Petitioner

Versus

State of Uttarakhand and Others ….Respondents

Present:-
Mr. Mohit Kumar, Advocate for the petitioners.
Mr. Pratiroop Pandey, AGA for the State.
Mr. P.C. Petshali, Advocate for respondent no.2 and 3.

Hon'ble Ravindra Maithani, J.(Oral)

Petitioner seeks quashing of charge sheet dated 24.08.2018, Cognizance Order dated 02.09.2020 and the entire proceedings of Criminal Case No. 404 of 2020, State Vs. Dr. Neeraj Chauhan, pending in the court of Judicial Magistrate, Jaspur, District Udham Singh Nagar (for short "the case") on the basis of amicable settlement between the parties.

2. Heard learned counsel for the parties through video conferencing.

4. In this case, charge sheet has been submitted under 323, 324, 504 IPC. The case is based on an FIR lodged by respondent no.2, Raveesh Jain with regard to assault by the petitioner.

5. The parties have filed a joint compounding application supported with the affidavits. The petitioner Neeraj Kumar, who is identified by Mr. Mohit Kumar, Advocate and respondent no.2 Ravish Jain and respondent no.3 Saroj Jain, who are identified by Mr. P.C. Petshali, Advocate, joined these proceedings through Video Conferencing. Informant and Smt. Saroj Jain, who is shown as a victim in the FIR, have stated that they have amicable settled the dispute and

now they do not want to proceed with the case. They live in the same *mohalla*.

6. Parties have settled the dispute. They are living in the same vicinity. Therefore, under the facts and circumstance of this case, this Court sees no reason to allow the prosecution to continue. Accordingly, the petition deserves to be allowed.

8. The petition is allowed.

9. The charge sheet, summoning order and entire proceedings of the case are quashed.

10. Compounding Application No. 3446 of 2020 stands disposed of accordingly.

(Ravindra Maithani, J.)
01.10.2020

Jitendra