



IN THE HIGH COURT OF UTTARAKHAND

AT NAINITAL

CRIMINAL MISC. APPLICATION No.559 of 2025

Rajesh Kumar and othersApplicants

Vs.

State of Uttarakhand & anotherRespondents

With

CRIMINAL MISC. APPLICATION No.562 of 2025

Baburam and othersApplicants

Vs.

State of Uttarakhand & anotherRespondents

With

CRIMINAL MISC. APPLICATION No.671 of 2025

Arvind & othersApplicants

Vs.

State of Uttarakhand & othersRespondents

Presence:

Mr. Prakash Chandra, learned counsel for the Applicants in C528 No.559 of 2025 and 562 of 2025.

Mr. Bilal Ahmed, learned counsel for the Applicants in C528 No.671 of 2025.

Mr. N.S. Kanyal, learned AGA, for the State of Uttarakhand.

Hon’ble Ashish Naithani, J.

In C528 No.559 of 2025



1. In the present Application filed under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, the Applicants have put a challenge to the entire proceedings of Criminal Case No.691 of 2022 “State Vs. Rajesh and others” for the offences punishable under Sections 323, 325, 504 and 506 of IPC, pending before the court of learned Additional Chief Judicial Magistrate, Laksar, District Haridwar.

2. In C528 No. 562 of 2025. In the present Application filed under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, the Applicants have put a challenge to the entire proceedings of Criminal Case No.1383 of 2020 “State Vs. Rahul and others” for the offences punishable under Sections 147, 148, 149, 323, 325, 504, 506 and 427 of IPC, pending before the court of learned Additional Chief Judicial Magistrate, Laksar, District Haridwar.

3. In C528 No.671 of 2025. In the present Application filed under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, the Applicants have put a challenge to the entire proceedings of Criminal Case No.1384 of 2020 “State Vs. Arvind Kumar and others” for the offences punishable under Sections 147, 148, 149, 323, 325, 452, 504 and 506 of IPC, pending before the court of learned Additional Chief Judicial Magistrate, Laksar, District Haridwar.

4. There is a statement made between the parties in all the three petitions, named above, the parties have settled their dispute amicably, which arose from the same incident. Both the parties are family members related to each other and the issue arose on trivial matter. Respondent No.2 – Suman Devi D/o Chandra Pal Singh, who is victim and the injured. On interacting with the above Respondent No.2, she says that she is not



married and her father name is Sri Chandra Pal Singh, whereas in the petition, instead of referring to father's name, somehow probably due to typographical error, it has been mentioned as wife of Sri Chandra Pal Singh. Learned counsel for the Applicants prays a day time to rectify the same. Applicants and the private Respondent No.2 are present in person before this Court, who has been identified by their respective learned counsel.

5. On interacting with the victim injured/Respondent No.2, the victim makes a statement that there was a trivial issue as the buffaloes of Applicants had wandered in their field/garden, and just to drive it out of their garden/field, the assailants hit her. On asking, whether she is under pressure to compound the matter, or there is any threat perception and she is under duress. The injured says there is none, and she is willing to compound the offence as it is a family dispute, which she is willing to settle down. The victim injured/Respondent No.2, father is also present before this Court Sri Chandra Pal Singh, who says that the matter was a trivial issue. Now, the matter is being settled and they are willing to compound the matter.

6. In C528 No.562 of 2025, Here again, the private Respondent No.2 is Smt. Suman Devi, who has been wrongly mentioned as W/o Sri Chandra Pal Singh, whereas, Sri Chandra Pal Singh is her father, and she is not married yet. Applicants and private Respondent No.2 are present in person before this Court, who has been duly identified by their respective counsel.

7. In C528 No.671 of 2025, Parties are present in person, who is identified by their respective counsel. In the present matter, Respondent No.3 Rajesh Kumar is the victim and the injured. In the present matter and



in other two matters, named as above, the medical report is not part of the record, and in this regard the learned State Counsel makes an objection and he also objects to the compounding application (IA Nos.1/2025) in the three cases, there are serious injuries and matter should not be compounded. In the present matter, learned counsel for the Applicants submits that there is a typographical error, which needs correction and seeks permission of the Court. Permission granted. Corrections to be implemented in the petition today itself. After interacting with the injured in both the cases, and the fact that they are family members, and the issue is very trivial, and they are not apparent injuries on the person of both injured i.e. Smt. Suman Devi and Sri Rajesh Kumar, as such matter can be compounded in the absence of the medical report.

8. Heard learned counsel for the parties and perused the material available on record.

9. In view of the principle of law laid down by Hon'ble the Apex Court in the case of **Gian Singh vs. State of Punjab reported in 2012 (10) SCC 303** as well as in **Transfer Petition (Criminal) No. 115 of 2012 (Dimpey Gujral vs. Union Territory of Chandigarh) decided on 06.12.2012**, criminal proceedings can be quashed by this Court, if this Court is satisfied that matter has been settled between the parties amicably and parties are interested to restore peace and harmony between them.

10. In view of the above, the compounding applications are allowed in each file. The entire proceedings of Criminal Case No.691 of 2022 "State Vs. Rajesh and others" for the offences punishable under Sections 323, 325, 504 and 506 of IPC, pending before the court of learned Additional Chief Judicial Magistrate, Laksar, District Haridwar in C528



2025:UHC:6819

No.559 of 2025. In C528 No.562 of 2025, in the present Application filed under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, the Applicants have put a challenge to the entire proceedings of Criminal Case No.1383 of 2020 “State Vs. Rahul and others” for the offences punishable under Sections 147, 148, 149, 323, 325, 504, 506 and 427 of IPC, pending before the court of learned Additional Chief Judicial Magistrate, Laksar, District Haridwar. In C528 No.671 of 2025, in the present Application filed under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, the Applicants have put a challenge to the entire proceedings of Criminal Case No.1384 of 2020 “State Vs. Arvind Kumar and others” for the offences punishable under Sections 147, 148, 149, 323, 325, 452, 504 and 506 of IPC, pending before the court of learned Additional Chief Judicial Magistrate, Laksar, District Haridwar, are hereby quashed.

11. The Criminal Miscellaneous Application, filed under 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 is disposed of accordingly.

12. Let a copy of this judgment be placed in each files by Bench Secretary of this Court.

(Ashish Naithani J.)

04.08.2025

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