2025:UHC:7292

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

19TH AUGUST, 2025

CRIMINAL MISCELLANEOUS APPLICATION NO. 1425 OF 2025

Major Ganesh Bhatt ..... Applicant

Versus

State of Uttarakhand and Another .....Respondents

Counsel for the Applicant	:	Mr. Vishal Kumar Nautiyal, Advocate.
Counsel for the Respondent No.1	:	Mr. Pradeep Lohani, Brief Holder.
Counsel for the Respondent no.2/ Informant - victim	:	Ms. Shalini Thakral, Advocate.

Hon'ble Alok Kumar Verma,J.

This Application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been preferred by the applicant-accused Major Ganesh Bhatt for quashing the charge-sheet dated 29.09.2023, summoning order dated 02.05.2025 and the entire proceedings of Criminal Case No.3104 of 2025, "State vs. Major Ganesh Bhatt", pending before the court of IIIrd Judicial Magistrate, Dehradun.

2. According to the First Information Report dated 24.06.2023, the applicant-accused had taken

Rs.67,992/- from the informant to provide a job to his son. His son was not provided any job.

3. Subsequent to the submission of the charge-sheet, the learned Magistrate took cognizance and passed the impugned summoning order against the applicant for the offence punishable under Section 420 of the Indian Penal Code, 1860.

4. Heard Mr. Vishal Kumar Nautiyal, learned counsel for the applicant, Mr. Pradeep Lohani, learned Brief Holder for the respondent no.1 and Ms. Shalini Thakral, learned counsel for the respondent no.2/informant.

5. The applicant– accused Major Ganesh Bhatt is present in-person. He is identified by Mr. Vishal Kumar Nautiyal, Advocate. Anand Swaroop Bhatt, the respondent no.2/informant, is present through video conferencing. He is identified by Ms. Shalini Thakral, Advocate.

6. The applicant and the respondent no.2 submitted that they have settled their disputes amicably and reached to compromise pursuant to which

they have filed a Compounding Application (IA No.01 of 2025) with their affidavits.

7. The applicant and the respondent no.2 submitted that they have filed affidavits with their free and without any pressure. The respondent no.2 further submitted that he has compounded the offence.

8. Learned counsel for the State submitted that the applicant and the respondent no.2 have settled their disputes amicably, therefore, the State has no objection to the submissions of the applicant and the respondent no.2.

9. Considering the totality of the matter, this Court is of the view that ends of justice would be met if the charge-sheet dated 29.09.2023, summoning order dated 02.05.2025 and the entire proceedings of Criminal Case No.3104 of 2025, “State vs. Major Ganesh Bhatt”, pending before the court of IIIrd Judicial Magistrate, Dehradun, are quashed.

10. Resultantly, the present Application filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is allowed and the charge-sheet dated 29.09.2023, summoning order dated 02.05.2025 and

the entire proceedings of Criminal Case No.3104 of 2025, “State vs. Major Ganesh Bhatt”, pending before the court of IIIrd Judicial Magistrate, Dehradun, are hereby quashed.

Date: 19.08.2025
JKJ/Pant

ALOK KUMAR VERMA, J.