SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			UKHC010070302026 **C528/868/2026** Shoyeb Alias Toyyab --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. Gaurav Singh, Advocate for the applicant. 2. Mr. Prabhat Kandpal, A.G.A. for the State. 3. Mr. Susheel Kumar, Advocate for the complainant/respondent nos. 2 and 3. 4. The present criminal misc. application is filed with a prayer to set-aside the chargesheet, summoning/cognizance order as well as the entire proceedings of Special Sessions Trial No. 193 of 2023, under Sections 323, 376(3), 376(f), 504 and 506 of IPC and Sections 3(a)/4(2), 5(n)/6 of POCSO Act, pending in the court of learned Addl. District and Sessions Judge/POCSO, Haridwar, on the basis of compromise between the parties. 5. As per the prosecution story, the applicant had sexually assaulted the victim, who was his sister-in-law and who was residing temporarily at his house. 6. Now, Compounding Application is filed in the matter wherein it is prayed to compound

			the offences between the parties. 7. Learned counsel for the applicant submits that statements of the victim and the complainant were recorded as PW1 and PW2 and both of them have denied the prosecution story and were declared hostile. It is further submitted that no victim has attained the age of majority. 8. Learned counsel for the applicant further submits that the parties have amicably settled their dispute and have entered into a compromise. 9. Applicant and Respondent nos.2 and 3 are present before this Court and are duly identified by their respective counsel. Parties have also filed their respective affidavits stating the facts of compromise between them. 10. The Court interacted with the parties. Upon interaction, it is submitted that FIR was lodged due to some misunderstanding and now complainant has amicably settled her dispute with the applicant and does not want to pursue with the criminal proceedings against the applicant. 11. At this stage, learned State Counsel raised a preliminary objection to the effect that the offences sought to be compounded are non-compoundable. 12. However, the Hon'ble Apex Court in the case of B.S. Joshi and others Vs. State of Haryana reported in (2003) 4 S.C.C., Page 675, has permitted compounding of non-compoundable offences with the permission of Court. 13. Furthermore, Hon'ble Supreme Court, in a catena of its judgments, has observed that in cases where because of the compromise arrived at between the parties, possibility of

			conviction is remote and bleak, the High Court may quash the criminal proceedings as continuation of the same would cause great prejudice and injustice to the accused. 14. Following the aforesaid ratio, the present compounding application is allowed. The offences between the parties are permitted to be compounded. As a result, the entire proceedings of Special Sessions Trial No. 193 of 2023, under Sections 323, 376(3), 376(f), 504 and 506 of IPC and Sections 3(a)/4(2), 5(n)/6 of POCSO Act, pending in the court of learned Addl. District and Sessions Judge/POCSO, Haridwar, are hereby quashed *qua* the applicant. 15. Accordingly, the present criminal misc. application stands disposed of in the aforesaid terms. **(Alok Mahra J.)** 30.10.2026 Ujjwal
