SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			C528/1720/2026 Rakesh Saraswat --Applicant **Versus** State Of Uttarakhand and Another --Respondents **Hon'ble Alok Mahra, J.** Mr. Kunal Verma, learned counsel for the applicant. Ms. Meenakshi Sharma, learned A.G.A. for the State of Uttarakhand. Mr. Shivam Rana, learned counsel for respondent no. 2. 2. The present application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as the "BNSS"), has been filed by the applicant seeking quashing of the cognizance order dated 23.04.2026 and the entire proceedings of Criminal Case No. 48 of 2026, *State vs. Rakesh Saraswat and Another*, arising out of FIR No. 0017 of 2025, registered at Police Station Lohaghat, District Champawat, for the offence punishable under Section 318(4) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as the "BNS"), pending before the Court of Civil Judge (Senior Division)/Judicial Magistrate, Champawat, P.S. Lohaghat, District Champawat. 3. Along with the present application, a compounding application, being I.A. No. 01 of 2026, has also been filed. The said application bears the signatures of the parties and has been duly identified by their respective learned counsel. The application is supported by affidavits of the parties, wherein it has been stated that they have amicably settled their dispute 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. Learned State Counsel has opposed the application for compounding.

6. Upon being interacted with by this Court, respondent no. 2 submits that he has received the entire amount due to him pursuant to the settlement and that he no longer wishes to pursue the matter any further.

7. Upon interacting with the parties and considering the material available on record, this Court is satisfied that the settlement has been arrived at voluntarily, without any coercion, pressure or undue influence. Respondent no. 2 has unequivocally expressed his willingness to abide by the settlement and his desire not to pursue the criminal proceedings any further.

8. Having regard to the nature and circumstances of the dispute, the fact that the parties have amicably settled their differences, and the voluntary nature of the settlement, this Court has considered whether the continuation of the criminal proceedings would serve any useful purpose or whether the exercise of its inherent jurisdiction under Section 528 of the BNSS is warranted in the interests of justice.

9. In *Gian Singh v. State of Punjab*, (2012) 10 SCC 303; *Narinder Singh v. State of Punjab*, (2014) 6 SCC 466; and *State of Madhya Pradesh v. Laxmi Narayan*, (2019) 5 SCC 688, the Hon'ble Supreme Court has elucidated the principles governing the exercise of inherent jurisdiction for quashing criminal proceedings on the basis of a compromise between the parties. The Court must, inter alia, consider the nature and gravity of the offence, the circumstances in which the dispute arose, and the impact of quashing on the ends of justice.

10. In the facts and circumstances of the present case, and subject to the foregoing

principles, this Court is of the considered opinion that the settlement between the parties is genuine and voluntary and that the continuation of the criminal proceedings, insofar as the applicant is concerned, would not serve any useful purpose. Accordingly, this is a fit case for exercise of the inherent jurisdiction of this Court under Section 528 of the BNSS.

11. Consequently, the compounding application (I.A. No. 01 of 2026) is allowed in terms of the settlement between the parties. In exercise of the inherent jurisdiction vested in this Court under Section 528 of the BNSS, the cognizance order dated 23.04.2026 and the entire proceedings of Criminal Case No. 48 of 2026, *State vs. Rakesh Saraswat and Another*, arising out of FIR No. 0017 of 2025, registered at Police Station Lohaghat, District Champawat, for the offence punishable under Section 318(4) of the BNS, pending before the Court of Civil Judge (Senior Division)/Judicial Magistrate, Champawat, P.S. Lohaghat, District Champawat, are hereby quashed qua the applicant.

12. Accordingly, the present criminal miscellaneous application under Section 528 of the BNSS stands disposed of. 13. Pending applications, if any, also stand disposed of.

(Alok Mahra, J.)
27-10-2026

SHIKSHA SINGOLA