SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			C528/1728/2026 Mohd Arman --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. Nishant Krishna Adhikari, learned counsel for the applicant. Mr. Pramod Tiwari, learned A.G.A. for the State of Uttarakhand. Mr. Rakshit Srivastava, learned counsel for respondent nos. 2 and 3. 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 entire proceedings of Special Sessions Trial No. 16 of 2025, *State v. Hasim and Another*, under Section 61(2) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as the "BNS"), pending before the Court of the learned Special Sessions Judge (POCSO Act)/Sessions Judge, Champawat, insofar as the same relate to the applicant. 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 nos. 2 and 3 are present before this Court and have been duly identified by their respective learned counsel. 5. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. It is contended that the only role attributed to the applicant is that he assisted the victim and the co-accused by purchasing railway tickets and facilitating their boarding of the train. It is further submitted that, during the pendency of the proceedings, the victim attained the age of majority. 6. This Court interacted with the victim, who stated that she knows the applicant only because he resides in the same locality as her. She further stated that no other allegation has been made against the present applicant and that she no longer wishes to pursue the matter any further. 7. Upon interacting with the parties and considering the material available on record, this Court finds that the role attributed to the applicant is limited to allegedly assisting the victim and the co-accused in leaving the area by arranging railway tickets and facilitating their boarding of the train. The applicant's counsel has further submitted that no specific role constituting abetment has been attributed to the applicant. 8. Having regard to the statements made by the parties and the circumstances placed before this Court, the settlement appears to have been arrived at

			voluntarily, without any coercion, pressure or undue influence. 9. Learned State Counsel has opposed the compounding application on the ground that the offence under Section 61(2) of the BNS is non-compoundable. 10. The question that arises for consideration is whether the criminal proceedings, notwithstanding the alleged settlement between the parties, warrant interference by this Court in exercise of its inherent jurisdiction under Section 528 of the BNSS. 11. 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, while exercising such jurisdiction, is required to consider the nature and gravity of the offence, the circumstances in which the dispute arose, the role attributed to the accused, and whether quashing the proceedings would secure the ends of justice. The mere fact that an offence is non-compoundable does not, by itself, foreclose the exercise of inherent jurisdiction; however, such jurisdiction must be exercised in accordance with the settled principles of law. 12. Having considered the nature of the allegations, the role attributed to the applicant, the submissions advanced on his behalf, and the statements made by the victim before this Court, the Court is required to

determine whether continuation of the proceedings against the applicant would serve the ends of justice. The fact that the victim has attained the age of majority during the pendency of the proceedings and has expressed her unwillingness to pursue the matter has also been taken into consideration, without treating either circumstance as conclusive by itself.

13. Accordingly, subject to the foregoing considerations and upon being satisfied that the exercise of inherent jurisdiction is warranted in the facts of the present case, the compounding application (I.A. No. 01 of 2026) is allowed in terms of the settlement arrived at between the parties. In exercise of the inherent jurisdiction vested in this Court under Section 528 of the BNSS, the proceedings of Special Sessions Trial No. 16 of 2025, *State v. Hasim and Another*, under Section 61(2) of the BNS, pending before the Court of the learned Special Sessions Judge (POCSO Act)/Sessions Judge, Champawat, are hereby quashed insofar as they relate to the applicant.

14. Accordingly, the present criminal miscellaneous application under Section 528 of the BNSS stands disposed of.

15. Pending applications, if any, also stand disposed of.

(Alok Mahra, J.)
28-10-2026

SHIKSHA NOUDIYAL