SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			I.A. No.11088 of 2024 (Compounding Appl.) **In** **CRLA/344/2018** Pradeep Kumar --Appellant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. M.S. Pal, Senior Advocate, assisted by Mr. Priyanshu Kanyal, Advocate holding brief of Mr. Sachin Veer Singh, Advocate for the appellant. Mrs. Meenakshi Sharma, A.G.A. for the State of Uttarakhand. Ms. Amreen, Advocate, holding brief of Ms. Medha Pande, Advocate for the complainant. 2. This Criminal Appeal has been preferred by the appellant assailing the judgment and order dated 12.10.2018 passed by learned Sessions Judge, Champawat, in Sessions Trial No.36 of 2017, whereby the appellant has been convicted for the offence punishable under Section 363 of I.P.C. and sentenced to undergo rigorous imprisonment for a period of three years with a fine of ₹5,000/-. In default of payment of fine, he has been directed to undergo further imprisonment for a period of one month. Appellant has also been convicted under Section 376 of I.P.C. and sentenced to undergo rigorous imprisonment for a period of seven years along with a fine of ₹25,000/-. In default of payment of fine,

			he has been directed to undergo further imprisonment for a period of three months. Appellant has also been convicted for the offence punishable under Section 3/4 of POCSO Act and sentenced to undergo rigorous imprisonment for a period of seven years along with a fine of ₹25,000/-. In default of payment of fine, he has been directed to undergo further imprisonment for a period of three months. 3. Learned counsel for the appellant submits appellant and the victim were in love relations with each other and, after attaining the marriageable age, victim has solemnized marriage with the appellant and, out of the wedlock, they have a girl child of about 05 years. 4. Appellant is present in Court today, while the victim joined the proceeding through Video Conferencing. She submits that both of them are leading happy married life and the compounding application filed in the present appeal may be allowed. 5. Hon'ble Supreme Court in the case of K. Kirubakaran Vs. State of Tamilnadu, reported in 2025 SCC Online SC 2307, has observed that, in exceptional circumstances, a balanced approach combining practicality and empathy is necessary while administering criminal justice. Where the accused and victim have subsequently married and are leading a peaceful family life, continuation of criminal proceedings may cause undue hardship. The paramount consideration should be the welfare of the parties and society, while ensuring that justice is not reduced to mere technicalities. 6. Having considered the submissions

advanced by learned counsel for the parties and the fact that after attaining the marriageable age, victim have solemnized marriage with the applicant and they are leading a happy married life, this Court is of the view that no useful purpose would be served by continuing the criminal proceedings against the appellant, including the conviction and sentence.

7. Accordingly, the compounding application is allowed. Consequently, the criminal appeal stands allowed. The impugned judgment and order dated 12.10.2018 passed by learned Sessions Judge, Champawat, in Sessions Trial No.36 of 2017, is hereby set aside. The appellant is acquitted of the charges levelled against him, on the basis of compounding of the offence.

8. Let the lower court record be sent back to the concerned Court forthwith.

(Alok Mahra, J.)
02.11.2026

Arpan

ARPAN JAISWAL

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