SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			UKHC010176362025 **C528/1988/2025** Dinesh Kumar and Another --Applicants **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. Sundar Dhauni, Advocate for the applicants. 2. Ms. Minakshi Sharma, Brief Holder for the State. 3. Mr. Bhupendra Prasad, Advocate for the complainant/respondent no. 2. 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.06 of 2025, under Sections 5(j)(ii)/5(l)/6 of POCSO Act and Sections 376(2)(i), 376(2)(n) of IPC, pending in the court of learned Special Sessions Judge, Bageshwar, on the basis of compromise between the parties. 5. Now, Compounding Application is filed in the matter wherein it is prayed to compound the offences between the parties. 6. Learned counsel for the applicant submits that the parties have amicably settled their dispute and have entered into a

			compromise. It is further submitted that as such chargesheet was filed and date of birth of respondent no.2 was recorded as 04.12.2007; that presently as such she is almost 19 years of age; that now applicant no. 1 and respondent no. 2 are married they have two children. 7. Both the parties 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. 8. The Court interacted with the parties. Upon interaction, it is submitted that now complainant has amicably settled her dispute with the applicants and she does not want to pursue with the criminal proceedings against the applicants. 9. At this stage, learned State Counsel raised a preliminary objection to the effect that the offences sought to be compounded are non-compoundable. 10. 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. 11. 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.

			12. 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.06 of 2025, under Sections 5(j)(ii)/5(l)/6 of POCSO Act and Sections 376(2)(i), 376(2)(n) of IPC, pending in the court of learned Special Sessions Judge, Bageshwar, are hereby quashed *qua* the applicants. 13. Accordingly, the present criminal misc. application stands disposed of in the aforesaid terms. **(Alok Mahra J.)** 04.11.2026 Ujjwal