2026:UHC:9719

HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Criminal No. 2150 of 2026

28 October, 2026

Sheetal Kishore Singhal --Petitioner

Versus

State Of Uttarakhand & others --Respondents

Presence:-
Mr. Nikhil Singhal and Mr. Subhash Joshi, learned counsel for the petitioner.
Ms. Sweta Badola Dobhal, learned Brief Holder for the State.
Mr. Narendra Bali, learned counsel for respondent no.3.

Hon'ble Pankaj Purohit, J.

By means of the present writ petition, petitioner has put to challenge the First Information Report No.623 of 2024 dated 10.12.2024, under Sections 115(2), 191(2) & 352 of BNS, 2023, registered with Police Station Rishikesh, District Dehradun on the ground of settlement and compromise entered into between the parties.

2. Along with present criminal writ petition, a joint compounding application (IA No.1/2026) has also been filed by the parties, which is duly supported by separate affidavits of the parties.

3. In the compounding application, it has been stated that petitioner and respondent no.3 have settled their dispute and do not wish to continue the proceedings in the present case. It is further stated that respondent no.3 does not want to prosecute the petitioners.

4. Petitioner-Sheetal Kishore Singhal is present in the Court today and respondent no.3-Sanjay Shashtri @ Sanjay Kumar Tripathi @ Sachchidanand Das is also

present in the Court through V.C. Both of them are duly identified by their respective counsel.

5. This Court interacted with the parties specifically respondent no.3-Sanjay Shashtri @ Sanjay Kumar Tripathi @ Sachchidanand Das. Respondent no.3 stated before the Court that he has no grievance against the petitioner and he does not want to pursue the aforesaid criminal case.

6. Per contra, Learned State Counsel raised a preliminary objection to the effect that offence sought to be compounded is non-compoundable.

7. Since the parties have entered into compromise and are living peacefully, this Court is of the opinion that it will be a futile exercise to ask the petitioner to face the criminal prosecution which would ultimately result into the acquittal.

8. So far as compounding of non-compoundable offence is concerned, the Apex Court has dealt with the consequence of a compromise in this regard in the case of *B.S. Joshi and others vs. State of Haryana and another*, reported in (2003)4 SCC 675 and has held as below: -

> *"If for the purpose of securing the ends of justice, quashing of FIR becomes necessary, Section 320 Cr.P.C. would not be a bar to the exercise of power of quashing. It is, however, a different matter depending upon the facts and circumstances of each case whether to exercise or not such a power."*

9. Thus, the High Court, in exercise of its inherent power can quash criminal proceedings or FIR or complaint, and Section 320 of Cr.P.C. does not limit or affect the powers of the Court. But here the Court is invoking its extraordinary jurisdiction under Article 226 of the Constitution of India which is far wider than 528 BNSS, 2023.

10. In this view of the matter, compounding application (IA/1/2026) is hereby allowed. The compromise arrived at between the parties is accepted. The First Information Report No.623 of 2024 dated 10.12.2024, under Sections 115(2), 191(2) & 352 of BNS, 2023, registered with Police Station Rishikesh, District Dehradun is hereby quashed *qua* petitioner only. Consequently, all the subsequent proceedings pursuant to the impugned FIR automatically shall come to an end.

11. Present criminal writ petition stands allowed accordingly.

12. Pending application, if any, stands disposed of accordingly.

(Pankaj Purohit, J.)
28.10.2026

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