SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			C528/2356/2026 Faiz Mohammad And Others --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. Vaibhav Singh Chauhan, learned counsel for the applicants. 2. Ms. Meenakshi Sharma and Mr. Himanshu Sain, learned Brief Holders for the State. 3. Mr. Abhishek Joshi and Mr. Ravindra S. Rawat, learned counsel for respondent nos.2 to 5. 4. Present application under Section 528 of the B.N.S.S., has been filed seeking quashing of the charge-sheet, the summoning/cognizance order dated 23.10.2019 passed by learned 1st Addl. Chief Judicial Magistrate, District Dehradun, which is pending as Sessions Trial No.85 of 2024 (Old Criminal Case No. 5507 of 2019) (arising out of F.I.R. No.207 of 2019 dated 21.05.2019), under Sections 147, 148, 323, 324, 325, 307 and 506 I.P.C. against the applicant no.5 and under Sections 147, 148, 323, 324, 325 and 506 I.P.C. against applicant nos. 1 to 4 as well as entire proceedings of Sessions Trial No.85 of 2024 (Old Criminal Case No.5507 of 2019) pending in the court of

			learned 2nd Addl. Sessions Judge, District Dehradun as well as the entire proceedings of the aforesaid criminal case. 5. Learned counsel for the applicants would submit that the F.I.R. was lodged by the complainant against the applicants and, upon completion of the investigation, the Investigating Officer submitted the charge-sheet against them. It is further submitted that applicant no. 5 was charge-sheeted for the offences punishable under Sections 147, 148, 323, 324, 325, 307 and 506 I.P.C., whereas applicant nos. 1 to 4 were charge-sheeted for the offences punishable under Sections 147, 148, 323, 324, 325 and 506 I.P.C. Thereafter, the learned Magistrate took cognizance of the offences and summoned the applicants to face trial. 6. Learned counsel for the applicants would further submit that the incident occurred due to a sudden scuffle between the parties, during which both sides sustained injuries; that, the dispute arose out of a misunderstanding between the parties, who reside in the same locality. He would further submit kthat although some of the injuries were grievous in nature, none of them was dangerous to life. Referring to the medical evidence, learned counsel would submit that the injury allegedly inflicted by applicant no. 5 upon the injured Yamin resulted in a fracture of the right ulna, the bone extending between the wrist and the elbow, and that the said injury was not opined to be dangerous to life, therefore, the offence under Section 307 I.P.C. is not

			made out against the applicant no.5. 7. Learned counsel would further submit that cross-F.I.R.s were lodged by both parties in respect of the same incident, which indicates that the occurrence arose out of a mutual altercation. It is, therefore, contended that, in view of the nature and circumstances of the incident and the subsequent amicable settlement arrived at between the parties, the continuation of the criminal proceedings would serve no useful purpose. 8. Learned counsel for the applicants would further submit that the parties have amicably settled their dispute and have decided not to pursue the criminal proceedings any further. A compounding application, along with the affidavits of the parties, has been filed before this Court. The applicant and the respondents are present before the Court through video conferencing and have been duly identified by their respective counsel. Upon interaction with the parties, respondents have acknowledged the settlement and stated that the dispute has been resolved amicably, that they do not wish to pursue the criminal proceedings against the applicants, and that the compromise has been entered into voluntarily, without any force, pressure or coercion, therefore, the impugned charge-sheet, summoning/ cognizance order and consequential criminal proceedings be quashed in view of the amicable settlement. 9. Per contra, learned State counsel

			would oppose the application on the ground that some of the offences alleged against the applicants are non-compoundable under Section 320 of the Cr.P.C. However, learned State counsel does not dispute the factum of the amicable settlement between the parties or the submission that both sides sustained grievous injuries in the incident, none of which was dangerous to life. 10. Having considered the submissions advanced by learned counsel for the parties and upon perusal of the material available on record, this Court finds that the dispute appears to have arisen out of a personal altercation between the parties. The parties have lodged cross-F.I.R.s in respect of the same incident, and both sides are stated to have sustained injuries during the altercation. It is further evident that the parties have now amicably resolved their dispute, and the respondents have expressed their unequivocal willingness not to pursue the criminal proceedings against the applicants. 11. Although some of the offences alleged against the applicants are non-compoundable under Section 320 Cr.P.C., the inherent jurisdiction of this Court under Section 528 B.N.S.S., is distinct from the statutory power of compounding offences. Such jurisdiction may be exercised to secure the ends of justice, having regard to the nature and gravity of the allegations, the circumstances in which the incident occurred, and the genuineness of the settlement arrived at

			between the parties. 12. In the present case, the dispute appears to be predominantly personal in nature, and the parties have voluntarily settled their differences. Therefore, the question of quashing the criminal proceedings is required to be considered in the light of the principles laid down by the Hon'ble Supreme Court governing the exercise of inherent jurisdiction in criminal matters involving an amicable settlement, notwithstanding the non-compoundable nature of certain offences. 13. The Hon'ble Supreme Court in *Gian Singh vs. State of Punjab*, (2012) 10 SCC 303 has held that the High Court, in exercise of its inherent jurisdiction under Section 482 Cr.P.C., is empowered to quash criminal proceedings in appropriate cases where the dispute is essentially of a private and personal nature and the parties have settled the matter amicably. The said principle has been reiterated in *Narinder Singh vs. State of Punjab*, (2014) 6 SCC 466 and *State of Madhya Pradesh vs. Laxmi Narayan*, (2019) 5 SCC 688, wherein it has been held that criminal proceedings arising out of personal disputes may be quashed when the parties have resolved their differences and the continuation of such proceedings would amount to an abuse of the process of the Court. 14. In the present case, the parties have amicably settled their dispute and the respondents have clearly stated before this Court that he does not wish to pursue the

			criminal proceedings against the applicants. In view of the compromise arrived at between the parties and considering the facts and circumstances of the case, continuation of the criminal proceedings would serve no useful purpose. 15. Accordingly, the compounding application is allowed. Consequently, the present C-528 application is also allowed. The charge-sheet and cognizance/ summoning order dated 23.10.2019 passed by learned 1st Addl. Chief Judicial Magistrate, District Dehradun, which is pending as Sessions Trial No.85 of 2024 (Old Criminal Case No. 5507 of 2019) (arising out of F.I.R. No.207 of 2019 dated 21.05.2019), as well as entire proceedings of Sessions Trial No.85 of 2024 (Old Criminal Case No.5507 of 2019) pending in the court of learned 2nd Addl. Sessions Judge, District Dehradun are hereby quashed in terms of the compromise arrived at between the parties. 16. Pending applications, if any, shall stand disposed of accordingly. Mamta MA MTA RANI Digitally signed by MAMTA RANI DN: c=IN, o=HIGH COURT OF UTTARAKHAND, ou=HIGH COURT OF UTTARAKHAND, 2.5.4.20=6a812005bebfcf46f244f3e584af1449e430ef900bf09a6d67ebbd642671329b, postalCode=263001, st=Uttarakhand, serialNumber=5de1751a4f1d9cabfd54852c9e68911ca8b66dd26690a191648ab5d8dd004ef0, cn=MAMTA RANI Date: 2026.10.29 16:00:51 +05'30' **(Alok Mahra, J.)** 28.10.2026