| SL. No. | Date | Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures | COURT'S OR JUDGE'S ORDERS |
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| | | | **UKHC010192492026**<br>**C528/2389/2026**<br><br>Jameel Ahmad Khan<br>--Applicant<br>**Versus**<br>State Of Uttarakhand<br>--Respondent<br><br>**Hon'ble Alok Mahra, J.**<br><br>Mr. Mohd. Shafy and Mr. Vinay Bhatt, Advocates for the applicants.<br><br>2. Mr. Vipul Painuly, A.G.A. for the State.<br><br>3. Mr. Abhishek Dutt, Advocate for respondent no. 3.<br><br>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 Criminal Case No. 1085 of 2024, under Sections 420, 120-B, 504 and 506 of IPC, pending in the court of learned 2nd Addl. Civil Judge (Sr. Div.), Rudrapur, District Udham Singh Nagar, on the basis of compromise between the parties.<br><br>5. As per the prosecution story, the relative of the complainant had booked a plot in the housing colony, which was developed by the applicant no. 1. It is alleged in the complaint that despite paying premium, possession of the plot was not handed over to him.<br><br>6. Now, Compounding Application is filed in the matter wherein it is prayed to compound |

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| | | | the offences between the parties.<br><br>7. Learned counsel for the applicants submits that the parties have amicably settled their dispute and have entered into a compromise.<br><br>8. Applicant and Respondent no.3 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.<br><br>9. The Court interacted with the parties. Upon interaction, it is submitted that applicant no.1 has returned the entire amount, which was paid by the relative of the complainant to the applicant no.1 and as such now complainant has amicably settled his dispute with the applicants and does not want to pursue with the criminal proceedings against the applicants.<br><br>10. At this stage, learned State Counsel raised a preliminary objection to the effect that the offences sought to be compounded are non-compoundable.<br><br>11. 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.<br><br>12. 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.<br><br>13. Following the aforesaid ratio, the present |

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| | | | compounding application is allowed. The offences between the parties are permitted to be compounded. As a result, the entire proceedings of Criminal Case No. 1085 of 2024, under Sections 420, 120-B, 504 and 506 of IPC, pending in the court of learned 2nd Addl. Civil Judge (Sr. Div.), Rudrapur, District Udham Singh Nagar, are hereby quashed qua the applicants.<br><br>14. Accordingly, the present criminal misc. application stands disposed of in the aforesaid terms.<br><br>**(Alok Mahra J.)**<br>29.10.2026<br>Ujjwal |

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