SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			UKHC010193052026 **C528/2394/2026** Ashwani Yadav And Others --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. Abhishek Verma, Advocate for the applicants. 2. Mr. Himanshu Sain and Ms. Minakshi Sharma, Brief Holders for the State. 3. Ms. Aishwarya Thapliyal, Advocate for the complainant/respondent nos. 2 and 3. 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. 1379 of 2020, under Sections 420 and 406 of IPC, pending in the court of learned 1st Addl. Civil Judge, Kashipur, District U.S. Nagar, on the basis of compromise between the parties. 5. In this case, initially a complaint was filed by the bank in which it was mentioned that applicant no.1 had taken a loan of Rs. 25 Lakhs for setting up a business, but, later on, during the inspection by the bank, it was found that applicant no. 1 did not utilize the loan for which it was sanctioned. 6. Now, Compounding Application is filed in

			the matter wherein it is prayed to compound the offences between the parties. 7. Learned counsel for the applicant submits that applicant no.1 has repaid the entire loan alongwith the interest and the loan clearance to that effect has also been issued by the bank on 22.05.2026. 8. Learned counsel for the applicant further submits that the parties have amicably settled their dispute and have entered into a compromise. 9. 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. 10. The Court interacted with the parties. Upon interaction, it is submitted that now complainant has amicably settled their dispute with the applicants and they do not want to pursue with the criminal proceedings against the applicants. 11. At this stage, learned State Counsel raised a preliminary objection to the effect that the offences sought to be compounded are non-compoundable. 12. 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. 13. 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. 14. 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 Criminal Case No. 1379 of 2020, under Sections 420 and 406 of IPC, pending in the court of learned 1st Addl. Civil Judge, Kashipur, District U.S. Nagar, are hereby quashed *qua* the applicant. 15. Accordingly, the present criminal misc. application stands disposed of in the aforesaid terms. **(Alok Mahra J.)** 30.10.2026 Ujjwal
