SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			C528/2459/2026 Avinash Sharma And Others --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. Jitendra Chaudhary, learned senior counsel assisted by Mr. Suhail Ahmed Siddiqui and Mr. Navneet Singh, learned counsel for the applicants. 2. Mr. Pradeep Lohani, learned A.G.A. for the State. 3. Mr. Aditya Singh, learned counsel and Mr. Harshvardhan Dhanik (though Video Conferencing), learned counsel for respondent no.2. 4. Present C-528 application has been filed seeking quashing of the charge-sheet No.225 of 2022 dated 25.07.2022, the summoning/cognizance order dated 26.07.2022 passed by the learned Judicial Magistrate First, Bazpur, District Udham Singh Nagar, in Criminal Case No.608 of 2022, arising out of F.I.R. No.0172 of 2022, under Sections 147, 148, 149, 307, 384, 449, 504 and 506 of the I.P.C., which was subsequently registered as Sessions Trial No.24 of 2023 and is presently pending before the Court of learned 2nd Additional District Judge, Kashipur, District Udham Singh Nagar, as well as the entire proceedings of the aforesaid case, qua the applicants. 5. Learned counsel for the applicants would submit that the F.I.R. was lodged by

			respondent no.2/complainant, alleging therein that, on 27.04.2022, during the night hours, the applicants, along with their associates, assembled in front of the house of respondent no.2 and started firing in the air and thereafter, they forcibly entered his house and assaulted the female members of his family. It was further alleged that the applicants committed robbery by taking away cash and jewellery and, while leaving the place of occurrence, threatened the family members of the complainant with dire consequences; that, pursuant to the aforesaid F.I.R., the matter was investigated by the police and, upon completion of the investigation, a charge-sheet was submitted against the applicants, whereupon the learned Magistrate took cognizance and summoned them to face trial. 6. Learned counsel for the applicants would further submit that the applicants and respondent no.2 belong to the same locality and that the dispute between them arose out of a property dispute, which is essentially civil in nature. He would further submit that, pursuant to the registration of the aforesaid criminal case, the applicants were arrested and sent to judicial custody; however, subsequently, they were enlarged on bail and are presently on regular bail. Since their release, the applicants have been peacefully participating in the criminal proceedings before the learned trial court; that, the injuries sustained by the injured persons in the alleged incident are simple in nature. 7. Learned counsel for the applicants would further submit that, with the intervention of the respectable and elderly

			members of the society, the applicants and respondent no.2/ complainant have amicably settled their dispute. Since both sides belong to the same locality, they have decided to put an end to their differences in order to maintain peace and harmony and to avoid any further hostility between their families. It is further submitted that the parties do not wish to pursue the criminal proceedings any further. In support of the aforesaid submissions, a joint compounding application (I.A. No.1 of 2026), duly supported by the affidavits of the applicants and respondent no.2/complainant, has been filed before this Court, wherein respondent no.2 has categorically stated that he does not wish to prosecute the applicants any further. 8. Applicant nos.4, 5, 6, 9 and 10 are present in person before this Court, whereas applicant nos.1, 2, 3, 7 and 8 are present through Video Conferencing. Respondent no.2/complainant is also present before this Court. All the parties have been duly identified by their respective learned counsel. Upon interaction with the parties, respondent no.2 has categorically stated that he has amicably settled the dispute with the applicants, with the intervention of the elderly members of the society, and does not wish to pursue the criminal proceedings any further. The parties have also expressed their willingness to maintain cordial relations and live peacefully in future. 9. Learned State Counsel has opposed the present application on the ground that the offences alleged against the applicants are non-compoundable in nature. However, he does not dispute the factum of compromise

			arrived at between the parties or the filing of the joint compounding application. 10. Heard learned counsel for the parties and perused the material available on record. 11. From the material brought on record, it transpires that the applicants and respondent no.2 belong to the same locality and that the dispute between them arose out of a property-related dispute. It further transpires that the parties have amicably resolved their differences with the intervention of the elderly members of the society. Upon interaction with the parties, this Court is satisfied that the settlement has been arrived at voluntarily and that the parties have no objection to the termination of the criminal proceedings. The joint compounding application (I.A. No.1 of 2026), supported by the respective affidavits of the parties, further substantiates the factum of settlement. Respondent no.2 has specifically stated that he does not wish to pursue the criminal proceedings against the applicants. 12. It is true that the offences alleged against the applicants are non-compoundable in nature. However, the power of this Court under Section 528 of B.N.S.S. is distinct from the power of compounding under Section 320 of the Cr.P.C. The inherent jurisdiction of this Court may be exercised to quash criminal proceedings involving non-compoundable offences on the basis of a genuine settlement between the parties, provided that the nature and gravity of the offences, their impact on society and the attending circumstances justify such exercise, and

			that quashing would secure the ends of justice and prevent abuse of the process of the Court. 13. The Hon'ble Supreme Court, in *Gian Singh vs. State of Punjab*, (2012) 10 SCC 303, and *Narinder Singh vs. State of Punjab*, (2014) 6 SCC 466, has laid down the principles governing the exercise of inherent jurisdiction for quashing criminal proceedings on the basis of a compromise. It has been held that, in cases involving predominantly private or personal disputes, the High Court may quash the criminal proceedings where the settlement is genuine and voluntary and the possibility of conviction is remote, provided that the offences involved are not of such a serious nature as to have a grave impact on society. 14. In the present case, although the allegations include offences under Sections 307, 384 and 449 of the I.P.C., which are serious in nature, this Court has considered the overall facts and circumstances of the case, the nature of the dispute between the parties, the material placed on record and the fact that the parties have voluntarily settled their differences. The Court is also conscious that the mere factum of compromise, by itself, is not sufficient to quash proceedings involving serious offences. However, having regard to the circumstances of the present case and the stand taken by respondent no.2, this Court is satisfied that the dispute has been amicably resolved and that the continuation of the criminal proceedings would not serve any useful purpose. 15. In view of the aforesaid facts and

			circumstances, this Court is satisfied that the compromise arrived at between the parties is voluntary, genuine and without any coercion or undue influence. Consequently, no fruitful purpose would be served by permitting the criminal proceedings to continue against the applicants. Rather, their continuation, in the facts and circumstances of the present case, would amount to an abuse of the process of the Court. Accordingly, this Court finds it to be a fit case for exercise of its inherent jurisdiction under Section 528 of the B.N.S.S. to secure the ends of justice. 16. Accordingly, the joint compounding application (I.A. No.1 of 2026) is allowed. Consequently, the charge-sheet No.225 of 2022 dated 25.07.2022, the summoning/cognizance order dated 26.07.2022 passed by the learned Judicial Magistrate First, Bazpur, District Udham Singh Nagar, in Criminal Case No.608 of 2022, arising out of F.I.R. No.0172 of 2022, and the consequential proceedings, subsequently registered as Sessions Trial No.24 of 2023, pending before the Court of learned 2nd Additional District Judge, Kashipur, District Udham Singh Nagar, are hereby quashed qua the applicants. 17. The present C-528 application stands allowed accordingly. 18. Pending applications, if any, also stand disposed of accordingly. **(Alok Mahra, J.)** 05.11.2026 Mamta