HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Criminal No. 2255 of 2026

Praveen Alias Praveen Kumar Sharma

--Petitioner

Versus

1. State Of Uttarakhand
2: The Station House Officer Ps Kotwali Jwalapur
3: Jaspal Singh
4: Praveen Kumar

--Respondents

Presence:-

Mr. Navneet Singh, learned counsel for petitioner.
Ms. Sweta Badola, learned Brief Holder for the State of Uttarakhand/respondent Nos.1 and 2.
Mr. Subash Joshi, learned counsel for respondent No.3 and 4.

Hon'ble Pankaj Purohit, J.

Heard learned Counsel for the parties.

2. By means of the present writ petition, petitioner has put to challenge the First Information Report No. 567 of 2026 dated 14.08.2026, for the offences punishable under Sections 420, 467, 468, 471 and 506 of IPC, registered with Police Station Kotwali Jwalapur District Haridwar, in view of the compromise entered into between the parties.

3. Along with present criminal writ petition, a joint compounding application (IA/1/2026) is filed which

is duly supported by separate affidavits of petitioner and respondent Nos. 3 and 4.

4. In the compounding application, it has been stated by the parties that the parties have reached to the terms of compromise wherefor a settlement has also reached between them. It is thus, prayed that the present first information report be quashed in terms of the compromise arrived at between the parties.

5. Petitioner-Praveen @ Praveen Kumar Sharma and respondent no. 3 Jaspal Singh and respondent no.4-Praveeen Kumar are present before this Court being duly identified by their respective counsel. On interaction, respondent No.3 and 4 stated that they do not want to prosecute the above case against the petitioners in view of the amicable settlement arrived between them. The amount of Rs. 8,00,000/- (eight lakhs) which was given by the informant and the victim to the petitioner Praveen Kumar Sharma has been repaid back to them. They fairly conceded that they have no objection if compounding application is allowed.

6. A report was called from the State as to whether the petitioner has any criminal antecedents or not. As per the report received by the learned State Counsel, there is no offence found registered against the petitioner either in the state of Uttarakhand or in District Saharanpur (U.P.) to which petitioner belongs.

7. Learned State Counsel raised a preliminary objection to the effect that the some of offences sought to be compounded are non-compoundable.

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 extraordinary power can quash criminal proceedings or FIR or complaint, and Section 320 of Cr.P.C. does not limit or affect the powers under Article 226 of the Constitution of India.

10. Learned counsel for the parties also drew the attention of this Court towards the ruling of ***Gian Singh v. State of Punjab and another***, **(2013) 1 SCC (Cri) 160**, in which Hon'ble Supreme Court observed as below:

> *"The position that emerges from the above discussion can be summarised thus: the power of the High Court in quashing a criminal proceeding or FIR or complaint in exercise of its inherent jurisdiction is distinct and different from the power given to a criminal court for compounding the offences under Section 320 of the Code. Inherent power is of wide plenitude with no statutory limitation but it has to be exercised in accord with the guideline engrafted in such power viz; (i) to secure the ends of justice or (ii) to prevent abuse of the process of any Court. In what cases power to quash the criminal proceeding or complaint or F.I.R may be exercised where the offender and victim have settled their dispute would depend on the facts and circumstances of each case and no category can be prescribed. ..... In this category of cases, High Court may quash criminal proceedings if in its view, because of the compromise between the offender and victim, the possibility of conviction is remote and bleak and continuation of criminal case would put accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal case despite full and complete settlement and compromise with the victim. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceeding or continuation of the criminal proceeding would tantamount to abuse of process of*

law despite settlement and compromise between the victim and wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding."

11. Since the parties have reached to the terms of the compromise, this Court is of the firm opinion that there would remain a remote or bleak possibility of conviction in such cases. It can also safely be inferred that it would be unfair or contrary to the interest of justice to permit continuation of the criminal proceedings. Since the answer to the aforesaid points is in affirmative, this Court finds this case fit to permit the parties to compound the matter.

12. Accordingly, compounding application (IA/1/2026) is hereby allowed. The compromise arrived at between the parties is accepted. The First Information Report No. 567 of 2026 dated 14.08.2026, for the offences punishable under Sections 420, 467, 468, 471 and 506 of IPC, registered with Police Station Kotwali Jwalapur District Haridwar, is hereby quashed. Consequently, all the subsequent proceedings pursuant to the impugned FIR automatically shall come to an end with the aforesaid condition.

13. The present criminal writ petition stands allowed accordingly.

14. Pending application(s), if any, also stands disposed of.

(Pankaj Purohit, J.)
19.11.2026

Nahid