SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			C528/2555/2026 Padam Singh And Anr --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. Parikshit Saini and Ms. Shazia Parveen, Advocates for the applicants. Mr. Chitrarth Kandpal, Brief Holder for the State of Uttarakhand. Mr. Devansh Kaushik, Advocate for respondent no.2. 2. Present C-528 application is filed with the prayer to set-aside/quash the charge sheet dated 02.10.2023, cognizance/summoning order dated 25.05.2024 and the entire proceedings of Special Sessions Trial No.11 of 2024 and C.I.S. No.68 of 2024, pending in the Court of learned Sessions Judge, Haridwar on the basis of compromise between the parties. 3. As per the allegations made in the complaint, the applicants abused the complainant by using caste-specific derogatory words and also caused injuries to him. 4. A compounding application (I.A. No. 1 of 2026) has been filed on behalf of the parties, seeking permission to compound the offence. Learned counsel for the applicants submits that a bare perusal of

			the F.I.R. and the charge sheet would reveal that there is no independent witness to the alleged incident. It is further submitted that the essential ingredients of the offence punishable under Section 3(1)(r) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, are not made out, as the alleged incident did not take place in any place within public view. In this regard, learned counsel has placed reliance upon the judgment of the Hon'ble Supreme Court, wherein it has been held that the alleged act or utterance must have occurred at a place within public view to attract the provisions of Section 3(1)(r) of the aforesaid Act. 5. Applicants as well as respondent no.2 are present in Court today, who have been duly identified by their learned counsel. It is further submitted that respondent no.2 has already filed affidavit in support of the compounding application, affirming the factum of compromise arrived at between the parties. 6. Learned counsel for the parties jointly submit that the applicants and respondent no.2 have amicably resolved the dispute and that respondent no.2 does not wish to pursue or prosecute the present proceedings against the applicants any further. 7. Learned State Counsel has vehemently opposed the compounding application and submits that the offence punishable under Section 3(1)(r) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, is non-compoundable in nature and the said Act is a special enactment. Accordingly, the offence cannot be

			permitted to be compounded merely on the basis of a settlement arrived at between the parties. 8. Hon'ble Supreme Court, in the case of Ramawatar Vs. State of Madhya Pradesh, reported in (2022) 13 SCC 635, has held that offences under the Special Act can be compounded if the Court is of the view that compromise has been entered with free will without any compulsion. 9. The Court interacted with the complainant, who is a Teacher in a school. He submits that the settlement has been arrived at voluntarily, without any coercion, pressure or undue influence from any quarter, and that he has no objection to the present proceedings being quashed in terms of the settlement. 10. Following the aforesaid ratio, present compounding application is allowed. The offences between the parties are permitted to be compounded. As a result, entire proceedings of Special Sessions Trial No.11 of 2024 and C.I.S. No.68 of 2024, pending in the Court of learned Sessions Judge, Haridwar, are hereby quashed. 11. C-528 application stands disposed of. **(Alok Mahra, J.)** 19.11.2026 *Arpan*

ARPAN JAISWAL

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