

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Compounding Application No. 7464 of 2018

In

Writ Petition (Criminal) No.1012 of 2018

Sanjay Singh Bisht & anotherPetitioners

Versus

State of Uttarakhand and othersRespondents

Mr. Karan Anand, Advocate for the petitioners.
Mr. Siddhartha Bisht, Brief Holder for the State of Uttarakhand.
Mr. Saurav Adhikari, Advocate for respondent no. 3.

Dated: 31.05.2018

Hon'ble V.K. Bist, J.

Heard learned counsel for the parties.

2. This petition has been filed by the petitioner for quashing the impugned F.I.R. dated 09.05.2018, registered as FIR No. 0075 of 2018, under Section 420 & 120-B of I.P.C., Police Station Vasant Vihar, District Dehradun. Along with this writ petition, joint compounding application has also been filed by the parties. In support of compounding application, affidavits have been filed by Mr. Sanjay Singh Bisht (petitioner no. 1) and Mr. Amitabh Thapliyal (respondent no.3/complainant). It is submitted by the learned counsel for the parties that the parties have entered into the compromise and the respondent no.3 does not want to pursue the criminal litigation against the petitioners. It is prayed that the offences punishable under Section 420 & 120-B of I.P.C., registered as FIR No. 0075 of 2018, at Police Station Vasant Vihar, District Dehradun, may be compounded

and the entire proceedings of the said F.I.R. may be quashed.

3. Parties are present before this Court on today and they are duly identified by their respective Counsel. They verified the contents of the compounding application.

4. Learned State Counsel also stated that the matter can be compounded.

5 In view of the principle of law laid down by Hon'ble the Apex Court in the case of Gian Singh vs. State of Punjab reported in 2012 (10) SCC 303 as well as in Transfer Petition (Criminal) No. 115 of 2012 (Dimpey Gujral vs. Union Territory of Chandigarh) decided on 06.12.2012, criminal proceedings can be quashed by this Court, if this Court is satisfied that matter has been settled between the parties amicably and parties are interested to restore peace and harmony between them.

6. Having considered submission of learned counsel for the parties and after going through the entire material available on record, I am satisfied that the matter has been settled between the parties amicably. Therefore, the writ petition deserves to be allowed.

7. Accordingly, the writ petition is allowed. Impugned F.I.R. dated 09.5.2018, registered as FIR No. 0075 of 2018, under Section 420 & 120-B, registered

at Police Station Vasant Vihar, District Dehradun, is hereby quashed so far it relates to the petitioners.

8. Compounding application is, accordingly, disposed of.

9. Let a certified copy of this judgment be issued today itself.

(V.K. Bist, J.)
31.05.2018

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