C482 No. 916 of 2020
With
CRMA No. 4701/2020 (Compounding Application)
Hon'ble N.S. Dhanik, J.
(Via Video Conferencing)

Mr. Mehboob Rahi, learned counsel for the applicants.

Mr. T.C. Aggarwal, learned Deputy Advocate General along with Mr. Sachin Panwar and Mrs. Sonika Khulbe, learned Brief Holders for the State.

Mr. Abhisehk Verma, learned counsel for respondent no. 2.

Heard learned counsel for the parties.

This criminal misc. application has been filed by the applicants to quash the summoning order dated 26.11.2019 and the entire proceedings of Criminal Case No. 1222 of 2019, "State of Uttarakhand vs. Mohd. Osama & others",pending in the Court of learned Chief Judicial Magistrate, Kotdwar, District Pauri Garhwal.

In the joint compounding application, duly supported by the affidavits of accused applicants and the respondent no. 2, it has been stated that parties have amicably settled their dispute and the respondent no. 2 do not want to prosecute the accused applicants. Accused applicant no. 1 (Osama), applicant no. 2 (Smt. Rehana) as well as the Smt. Shahista (respondent

no. 2/ complainant) is present in the Court through Video Conferencing and they are duly identified by their respective Counsel and they admitted that they are entered into compromise.

Learned State Counsel conceded that the matter can be compounded.

In view of the above and considering the principle of law laid down by Hon'ble Apex Court in *Nikhil Merchant v. C.B.I. & Ors,* **(2008) 9 SCC 677**; *B.S. Joshi v. State of Haryana & Anr* reported in **(2003) 4 SCC 675**, and in *Gian Singh v. State of Punjab & Another,* **(2012) 10 SCC 303,** the compounding application is allowed. Compromise arrived at between the parties is accepted. Consequently, the entire proceedings of Criminal Case No. 1222 of 2019, "State of Uttarakhand vs. Mohd. Osama & others", pending in the Court of learned Chief Judicial Magistrate, Kotdwar, District Pauri Garhwal, qua the applicants are hereby quashed.

The C-482 application is, accordingly, disposed of.

(N.S. Dhanik, J.)

AK   31.12.2020