
(2024) 11 UK CK 0121

Uttarakhand High Court

Case No: Criminal Miscellaneous Application No. 386 Of 2024

Ripin Aggarwal

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision: Nov. 27, 2024

Acts Referred:

- Indian Penal Code, 1860 - Section 323, 427, 504, 506

Hon'ble Judges: Vivek Bharti Sharma, J

Bench: Single Bench

Advocate: Radha Arya, G.S. Sandhu, Mamta Joshi, Vikas Bahuguna

Final Decision: Disposed Of

Judgement

Vivek Bharti Sharma, J

1. Learned counsel for the petitioner/accused would submit that this is the petition filed by the petitioner/accused to quash/set aside the charge sheet

dated 10.03.2022, summoning order dated 02.06.2022 as well as entire proceedings of Criminal Case No. 3947 of 2022, â€œState vs. Ripin

Aggarwalâ€ under Sections 323, 427, 504 & 506 of IPC arising out of the Case Crime No.236 of 2021, P.S. Dalanwala, District Dehradun, pending

before the Court of Chief Judicial Magistrate, Dehradun.

2. Learned counsel for the petitioner/accused would submit that the proceedings of the trial was stayed by a Coordinate Bench of this Court, vide

order dated 04.09.2024; that, during the pendency of present petition, the petitioner/accused and the respondent no.2/victim have amicably settled the

dispute and have entered into a compromise and now the respondent no.2/victim does not want to prosecute the petitioner in the present case.

3. Parties are present in the Court today through V.C. duly identified by their respective counsel. Parties have also filed their respective affidavits

stating the above fact of compromise between them.

4. Honâ€™ble Supreme Court, in a catena of its judgments, has observed that in cases where because of the compromise arrived at between the

parties possibility of conviction is remote and bleak, the High Court may quash the criminal proceedings as continuation of the same would cause great

prejudice and injustice to the accused.

5. In view of the above, Compounding Application IA No.1 of 2024 is allowed. As a consequence thereof, the charge sheet dated 10.03.2022,

summoning order dated 02.06.2022 as well as entire proceedings of Criminal Case No. 3947 of 2022, â€™State vs. Ripin Aggarwalâ€™ under Sections

323, 427, 504 & 506 of IPC arising out of the Case Crime No.236 of 2021, P.S. Dalanwala, District Dehradun, pending before the Court of Chief

Judicial Magistrate, Dehradun are hereby quashed.

6. Present petition is, thus, disposed of in terms of compromise arrived at between the parties.