
(2024) 01 UK CK 0175

Uttarakhand High Court

Case No: Criminal Miscellaneous Application No. 1083 Of 2024

Alok Chauhan &
Another

APPELLANT

Vs

State Of Uttarakhand &
Another

RESPONDENT

Date of Decision: Jan. 6, 2024

Acts Referred:

- Indian Penal Code, 1860 - Section 420, 504, 506

Hon'ble Judges: Pankaj Purohit, J

Bench: Single Bench

Advocate: Vaibhav Singh Chauhan, Sweta Badola Dobhal, Ankur Sharma

Final Decision: Allowed

Judgement

Pankaj Purohit, J

1. Heard learned counsel for the parties.

2. By means of this C528 application, applicants have put to challenge the FIR No.595 of 2021 dated 03.10.2021, under Sections 420, 504 & 506 IPC,

registered with Police Station Kotwali Jwalapur, District Haridwar, Charge-sheet No.1 of 2023 dated 25.03.2023 pursuant to the above FIR, impugned

cognizance/ summoning order dated 19.02.2024, under Sections 420, 504 & 506 IPC, passed by learned Chief Judicial Magistrate, Haridwar in

Criminal Case No.1500 of 2024, State vs. Puran Singh Chauhan & another as well as the entire proceedings of the aforesaid criminal case on the

ground of compromise entered into between the parties.

3. As per the case of the prosecution, as unfolded from the FIR, the first information report was lodged on 03.10.2021 in Police Station Kotwali

Jwalapur, District Haridwar by respondent no.2 alleging selling of part of the property belonged to the respondent no.2-informant and thereby cheated

the respondent no.2.

4. Along with the present C528 application, a joint compounding application (IA No.1/2024) has been filed by the applicants as well as the respondent

no.2- informant supported by their separate affidavits.

5. In the compounding application, it has been stated on oath by the parties that a settlement has been arrived at between them and they do not want

to continue with the present criminal proceedings launched by respondent no.2.

6. Applicant no.1-Alok Chauhan, applicant no.2- Puran Singh Chauhan and respondent no.2-informant- Dinesh Singh Chauhan are present before this

Court, duly identified by their respective Advocates.

7. On interaction, it is submitted by respondent no.2-Dinesh Singh Chauhan that now the matter has been settled between them and in place of land,

which has wrongly been sold by the applicants of the share of respondent no.2, some other land has been transferred to respondent no.2. In view of

this fact and that they are from one and the same family having blood relation, the matter has been settled amicably.

8. Since the parties have entered into compromise, therefore, there is no useful purpose left for keeping this criminal case pending. It will be a futile

exercise to ask the applicants to appear before the learned trial court as accused to face the trial. Therefore, compounding application (IA No.1/2024)

stands allowed.

9. Accordingly, the present C528 application is allowed in terms of the compromise entered into between the parties terms whereof have been

narrated in the compounding application.

10. Consequently, the entire proceedings of Criminal Case No.1500 of 2024, State vs. Puran Singh Chauhan & another, under Sections 420, 504 &

506 IPC, pending in the court of learned Chief Judicial Magistrate, Haridwar are hereby quashed. Resultantly, FIR No.595 of 2021, pursuant to which

Charge Sheet dated 25.03.2023 was filed and the said charge-sheet shall stand quashed.

11. Pending application, if any, also stands disposed of.