
(2025) 02 UK CK 0024

Uttarakhand High Court

Case No: Criminal Miscellaneous Application No. 130 Of 2024

Ratnesh Chauhan @ Kanha

APPELLANT

Vs

State Of Uttarakhand And
Another

RESPONDENT

Date of Decision: Feb. 13, 2025

Acts Referred:

- Indian Penal Code, 1860 - Section 147, 323, 325, 504, 506

Hon'ble Judges: Pankaj Purohit, J

Bench: Single Bench

Advocate: Harshpal Sekhon, Bhaskar Chandra Joshi, Sweta Dobhal, Basant Singh

Final Decision: Disposed Of

Judgement

Pankaj Purohit, J

1. Heard learned counsel for the parties.
2. By means of the present C528 application, the applicant has put to challenge the summoning/ cognizance order dated 21.02.2022 passed by the learned Judicial Magistrate, Kichha, District Udham Singh Nagar in Criminal Case No.148 of 2022S tate Vs. Ratnesh Chauhan @ Kanha, under Sections 147, 323, 325, 504 and 506 IPC along with charge-sheet dated 20.06.2019 filed pursuant to the FIR No.171 of 2019 registered at Police Station Kichha, District Udham Singh Nagar as well as the entire proceedings of the aforesaid criminal case.
3. Along with the present C528 application, a joint compounding application (IA/1/2024) is filed duly supported by separate affidavits by applicant and respondent No.2-complainant.

4. In the compounding application, it has been stated by the parties that they have entered into a settlement and the respondent No.2-complainant

doesn't want to pursue with the case anymore.

5. Applicant-Ratnesh Chauhan @ Kanha and respondent No.2-Manpreet Singh are present before this Court, who are duly identified by their

respective counsels. On interaction, respondent No.2-complainant categorically stated that he wants to end the matter and after intervention of elder

members of their families, they have decided to bring an end to hostilities between them and the matter is now amicably settled by them.

6. Learned counsel for the applicant submits that the four co-accused persons were minor during the incident and their compounding has already been

done in the Juvenile Court. He also submits that the parties are known to each other and belong to the same town and due to a misunderstanding

between the parties, the situation escalated to such an extent that this incident took place. Now, the matter is amicably settled by the parties after

interference of the elder members of their families, therefore, it would be futile exercise to keep the matter pending.

7. Learned State Counsel, per contra, expressed certain reservation in view of the Section 147 of IPC against the applicant.

8. Having considered the submission made by the learned counsel for the parties and on perusal of the compounding application as well as the

documents available on record, this Court is of the view that if the parties do not wish to pursue with the criminal proceedings anymore and they have

settled their dispute amicably, it would not be useful for referring the applicant to Court to face the trial and it would amount to a futile exercise. In

view of the compromise arrived at between the parties, nothing remains to be decided in the present matter.

9. Accordingly, compounding application (IA/1/2024) is allowed. The entire proceedings of Criminal Case No.148 of 2022 State Vs. Ratnesh

Chauhan @ Kanha, pending in the Court of learned Judicial Magistrate, Kichha, District Udham Singh Nagar, is hereby quashed. Resultantly, the

charge-sheet dated 20.06.2019 filed pursuant to the 171 of 2019 registered at Police Station Kichha, District Udham Singh Nagar, stands quashed.

10. Accordingly, the present C528 application is disposed of in terms of the compromise.