

(2025) 12 UK CK 0062

Uttarakhand HC

Case No: Criminal Miscellaneous Application No. 2157 Of 2025

Surendra Singh Kamra And
Another

APPELLANT

Vs

State Of Uttarakhand And
Another

RESPONDENT

Date of Decision: Dec. 5, 2025

Acts Referred:

- Bharatiya Nyaya Sanhita, 2023 - Section 318(4), 352, 352(2)

Hon'ble Judges: Pankaj Purohit, J

Bench: Single Bench

Advocate: Vipul Sharma, Maneesh Bisht, Sweta Badola Dobhal, Prabhat Kandpal,
Abhishek Singh Rawat

Final Decision: Allowed

Judgement

Pankaj Purohit, J

1. Heard learned counsel for the parties.

2. By means of the present C528 application, the applicants have put to challenge the Charge Sheet dated 09.09.2025, cognizance/summoning order dated 27.09.2025 passed by learned Judicial Magistrate/Civil Judge (Jr. Div.), Kiccha, District Udham Singh Nagar, in Criminal Case No.919 of 2025 *State of Uttarakhand Vs. Surendra Singh and Another*, under Sections 318(4), 352 and 352(2) of BNS 2023, as well as the entire proceedings of aforementioned criminal case, on the ground of compromise entered into between the parties.

3. Along with the present C528 application, a joint compounding application (IA/1/2025) is filed duly supported by separate affidavits by applicants and respondent No.2.

4. In the compounding application, it has been stated by the parties that both the parties have settled their dispute amicably and the respondent No.2 does not want to pursue with the case

anymore.

5. Applicants-Surendra Singh Kamra, Manvinder Singh and respondent No.2-Nitin Mishra, are present before this Court through V.C., who are duly identified by their respective counsel. On interaction, respondent No.2 categorically stated that the dispute is now amicably settled between them, as he has received entire amount of Rs.99,50,000/- from the applicants, therefore, he wants to end the matter without any pressure and does not want to prosecute the applicants in the aforesaid matter any further.

6. Learned State Counsel submits that since all the offences are compoundable and parties want to compound the matter, there is no useful purpose by getting the litigation pending.

7. In view of the above, since the parties have reached to the terms of the compromise, this Court is of the firm opinion that there would remain a remote or bleak possibility of conviction in this case. It can also safely be inferred that it would be unfair or contrary to the interest of justice to permit continuation of the criminal proceedings. Since the answer to the aforesaid points is in affirmative, this Court finds it a fit case to permit the parties to compound the matter.

8. Accordingly, compounding application (IA/1/ 2025) is allowed.

9. In view of the above, the present C528 application is allowed in terms of the compromise. The entire proceedings of Criminal Case No.919 of 2025 *State of Uttarakhand Vs. Surendra Singh and Another*, under Sections 318(4), 352 and 352(2) of BNS 2023, pending in the Court of learned Judicial Magistrate/Civil Judge (Jr. Div.), Kiccha, District Udham Singh Nagar, are hereby quashed, subject to payment of Rs.25,000/- (Rupees Three Thousand only) by the applicants, in the Uttarakhand High Court Bar Association Advocates' Welfare Fund, simply for the reason of wasting public time of investigating agency and to act as deterrent against the applicants in future for venturing such a dare devil act/offence. Resultantly, the Charge Sheet dated 09.09.2025 and FIR No.0154 of 2025 dated 16.05.2025 registered with P.S. Kiccha, District Udham Singh Nagar, stand quashed with the aforesaid condition.

10. Pending application(s), if any, also stands disposed of.