

(2025) 12 UK CK 0055

Uttarakhand HC

Case No: Criminal Miscellaneous Application No. 1978 Of 2025

Bagga Singh

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision: Dec. 17, 2025

Acts Referred:

- Indian Penal Code, 1860 - Section 308, 504, 506
- Bharatiya Nagarik Suraksha Sanhita, 2023 - Section 528

Hon'ble Judges: Alok Kumar Verma, J

Bench: Single Bench

Advocate: Shariq Khurshid, Deepak Bhardwaj, Prince Chauhan

Final Decision: Allowed

Judgement

Alok Kumar Verma, J

1. The present Application has been filed for quashing the entire proceedings of Criminal Case No.41 of 2025, State Vs. Bagga Singh, pending before the Court of learned Judicial Magistrate, Kashipur, District Udham Singh Nagar under Sections 308, 504 and Section 506 of the Indian Penal Code, 1860.
2. Mr. Shariq Khurshid, learned counsel for the applicant-accused.
3. Mr. Deepak Bhardwaj, learned Brief Holder for the respondent no.1-State.
4. Mr. Prince Chauhan, learned counsel for the respondent no.2-informant and the respondent no.3-injured.
5. Applicant and both the respondents are present in-person.
6. Applicant, aged about 71 years, is identified by Mr. Shariq Khurshid, Advocate.
7. Respondent no.2-Bhajan Kaur and the respondent no.3-Boota Singh son of respondent no.2 are identified by Mr. Prince Chauhan, Advocate.

8. According to the First Information Report dated 24.06.2024, the applicant beat Boota Singh on 16.05.2024.

9. Both, the applicant and the private respondents submitted that they have resolved their all the disputes and after resolving their disputes, they are living happily and in harmony. They have filed a Compounding Application (IA No. 1 of 2025) and affidavits with their free will and without any pressure. The private respondents are requesting to quash the entire proceedings of the said Criminal Case No.41 of 2025

10. Mr. Deepak Bhardwaj, learned Brief Holder appearing for the respondent no.1 has opposed the said request on the ground that the offence under Section 308 of the Indian Penal Code, 1860 is non-compoundable.

11. Considering the totality of the matter, the present Application, filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is allowed and the entire proceedings of Criminal Case No.41 of 2025, State Vs. Bagga Singh, pending before the Court of learned Judicial Magistrate, Kashipur, District Udham Singh Nagar, are hereby quashed.