

**(2012) 03 UK CK 0041**

**Uttarakhand High Court**

**Case No:** Criminal Miscellaneous Application (C-482) No. 238 of 2012 with Compounding Application No. 204 of 2012

Suleman

APPELLANT

Vs

State of Uttarkhand

RESPONDENT

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**Date of Decision:** March 19, 2012

**Acts Referred:**

- Criminal Procedure Code, 1973 (CrPC) - Section 482
- Penal Code, 1860 (IPC) - Section 147, 148, 3(1), 307

**Hon'ble Judges:** Prafulla C. Pant, J

**Bench:** Single Bench

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**Judgement**

Hon'ble Prafulla C. Pant, J.

Heard. By means of this petition, moved u/s 482 of Code of Criminal Procedure, 1973, the petitioner has sought quashing of the proceedings of Sessions Trial No. 216 of 1998, State v. Mustakim and others, relating to offences punishable u/s 147, 148 and 307 of I.P.C., and one punishable u/s 3 (1) (X) of S.C & S.T. (Prevention of Atrocities) Act, 1989.

2. Learned counsel for the petitioner and learned counsel for the respondent no.2 stated that the parties have entered into compromise, and the complainant does not want to prosecute the petitioner.

3. However, the offences u/s 307 of I.P.C., and one punishable u/s 3 (1) (X) of S.C & S.T. (Prevention of Atrocities) Act, 1989, I.P.C, are non compoundable. In the above circumstances, the petition u/s 482 of Cr.P.C., is dismissed summarily, with the observation that the complainant shall be at liberty to make the statement before the trial court as to the fact whether the petitioner has committed any crime or not. It is further observed that if the petitioner surrenders before the court concerned, his bail application shall be heard and disposed of without unreasonable delay, keeping in mind that respondent no.2 Raddi does not want to prosecute him.

(Compromise Application No. 204 of 2012 stands disposed of).