

No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>C-528 No. 664 of 2026 <u>Hon'ble Alok Mahra, J.</u></p> <p>Ms. Geetanjali Dhama, learned counsel for the applicant.</p> <p>2. Mr. B.N. Molakhi, learned D.A.G. for the State.</p> <p>3. Ms. Tanuja Joshi, learned counsel for the complainant.</p> <p>4. The present criminal misc. application is filed with the prayer to set-aside and quash the chargesheet, cognizance/summoning order as well as the entire proceedings of Special Sessions Trial No. 356 of 2023, pending in the court of Special Judge (POCSO), Udham Singh Nagar, on the basis of compromise between the parties.</p> <p>5. In the present case, a complaint was filed by the father of the victim, wherein, it was alleged that his minor daughter has been forcefully taken by the applicant. The Police recovered the victim from the house of the applicant. Statement of the victim were recorded under Section 164 Cr.P.C., wherein, she has categorically submitted that she is in love with the applicant and proposes to marry him and no physical relationship were established between them. Thereafter, after attaining the age of majority, the applicant and victim solemnized their marriage.</p> <p>6. Compounding application is also filed in the matter wherein it is prayed to compound the offence between the parties under Sections 363, 366A, 376 of IPC and Sections</p>

		<p>5/6 of POCSO Act.</p> <p>7. Learned counsel for the applicant submits that the parties have amicably settled their dispute and have entered into a compromise.</p> <p>8. Parties are present before this Court and are duly identified by their respective counsels. Parties have also filed their respective affidavits stating the facts of compromise between them.</p> <p>9. Victim is present before the Court today. Upon interaction, it is stated by her that they have amicably resolved their dispute and she do not want to pursue with the criminal proceedings against the applicant. She further submits that no physical relations were made between them before their marriage. It is further submitted that applicant and the victim solemnized their marriage on 12.06.2024 and they are living happily as husband and wife.</p> <p>10. At this stage, learned State Counsel raised a preliminary objection to the effect that the offences sought to be compounded are non-compoundable.</p> <p>11. However, the Hon'ble Apex Court in the case of B.S. Joshi and others Vs. State of Haryana reported in (2003) 4 S.C.C., Page 675, has permitted compounding of non-compoundable offences with the permission of Court.</p> <p>12. Furthermore, Hon'ble Supreme Court, in a catena of its judgments, has observed that in cases where because of the compromise arrived at between the parties, possibility of conviction is remote and bleak, the High Court may quash the criminal proceedings as</p>
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continuation of the same would cause great prejudice and injustice to the accused.

13. Following the aforesaid ratio, the present compounding application is allowed. The offences between the parties are permitted to be compounded. As a result, the entire proceedings of Special Sessions Trial No. 356 of 2023, pending in the court of Special Judge (POCSO), Udham Singh Nagar, are hereby quashed *qua* the applicant. FIR and charge-sheet filed pursuant thereto stand quashed.

14. Accordingly, the present criminal misc. application stands disposed of in the aforesaid terms.

(Alok Mahra J.)

10.04.2026

Ujjwal