



2026:UHC:3488

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p><u>C528/921/2026</u> <b><u>Hon'ble Alok Mahra, J.</u></b></p> <p>Mr. S.R.S. Gill, learned counsel for the applicants.</p> <p>2. Mr. Prabhat Khandpal, learned A.G.A. along with Mr. Nikhil Bisht, learned Brief Holder for the State.</p> <p>3. Mr. Kundan Singh, learned counsel for respondent no.2.</p> <p>4. Present C-528 application has been filed seeking quashing of the charge-sheet as well as the summoning/cognizance order dated 07.04.2026 passed by the learned Additional Chief Judicial Magistrate, Kashipur, District Udham Singh Nagar in Criminal Case No. 778 of 2026, relating to offences punishable under Sections 125, 351(2) and 352 of the Bharatiya Nyaya Sanhita, 2023 and Section 25(9) of the Arms Act, pending before the Court of learned Judicial Magistrate, Kashipur, District Udham Singh Nagar, along with the entire proceedings of the aforesaid criminal case.</p> <p>5. Learned counsel for the applicants would submit that the F.I.R. was lodged by respondent no. 2 alleging therein that on 15.02.2025 at about 6:00 P.M., when the complainant and his family members were present at their residence, the applicants came there, abused them, extended threats to their lives and allegedly fired shots from a licensed firearm. Pursuant thereto, investigation was conducted and, after completion of investigation, charge-sheet came to be submitted against the applicants,</p>



upon which cognizance was taken by the learned trial Court.

6. Learned counsel for the applicants would further submit that no person sustained any injury in the alleged incident and the firearm in question, being a licensed weapon, has already been seized by the competent authority and proceedings regarding the same are stated to be pending before the competent authority. He would further submit that, with the intervention of respectable persons of the society, the parties have amicably resolved their dispute and are now living peacefully.

7. In this regard, a joint compounding application being I.A. No. 1 of 2026, duly supported by affidavits of the applicants as well as respondent no. 2, has been filed before this Court stating therein that the compromise has been entered into voluntarily, out of free will and without any coercion, pressure or undue influence, and that respondent no. 2 does not wish to pursue the criminal proceedings any further.

8. The applicants as well as respondent no. 2 are present before this Court and have been duly identified by their respective learned counsel. Upon interaction made with respondent no. 2, he has affirmed the factum of compromise and has stated that the matter has been amicably settled between the parties.

9. Learned State counsel would oppose the application on the ground that some of the offences alleged against the applicants are non-compoundable in nature. However, he does not dispute the factum of compromise entered into between the parties.



10. Heard learned counsel for the parties and perused the material available on record.

11. From the material brought on record as well as the statements made before this Court, it transpires that the dispute between the parties arose out of personal discord and the same is essentially private in nature. The compromise entered into between the parties appears to be genuine, voluntary and free from any coercion or undue influence.

12. It is well settled that even in respect of non-compoundable offences, the High Court, in exercise of its inherent jurisdiction under Section 482 Cr.P.C./Section 528 B.N.S.S., can quash criminal proceedings where the dispute is predominantly private in nature and continuance of such proceedings would amount to abuse of the process of the Court. In *Gian Singh v. State of Punjab*, the Hon'ble Supreme Court held that criminal proceedings involving offences of personal nature may be quashed where the parties have amicably settled their dispute and the ends of justice so require. Similar principles have been reiterated in *Narinder Singh v. State of Punjab* and *Parbatbhai Aahir v. State of Gujarat*, wherein the Hon'ble Apex Court has laid down the parameters governing exercise of inherent powers for quashing proceedings on the basis of compromise.

13. Considering the nature of allegations levelled in the F.I.R., the fact that no injury has been caused to any person, the amicable settlement arrived at between the parties and the categorical stand taken by respondent no. 2 that he does not wish to prosecute the matter further, this Court is of the considered opinion that continuance of the criminal proceedings would serve no fruitful purpose



and the same would amount to abuse of the process of law.

14. Accordingly, the compounding application being I.A. No. 1 of 2026 is allowed.

15. Consequently, the charge-sheet as well as the summoning/cognizance order dated 07.04.2026 passed by the learned Additional Chief Judicial Magistrate, Kashipur, District Udham Singh Nagar in Criminal Case No. 778 of 2026, pending before the Court of learned Judicial Magistrate, Kashipur, District Udham Singh Nagar, along with the entire proceedings of the aforesaid criminal case, are hereby quashed qua the applicants.

16. The present C-528 application is, accordingly, allowed.

17. It is, however, made clear that this Court has not expressed any opinion on the administrative proceedings relating to the firearm licence of the applicants and the competent authority/District Magistrate shall be at liberty to take an independent decision with regard to suspension, cancellation or restoration of the firearm licence strictly in accordance with law, uninfluenced by any observations made in the present order.

18. Pending applications, if any, shall stand disposed of.

**(Alok Mahra, J.)**

07.05.2026