

C482 No. 1741 of 2019

With

CRMA No. 22517/2019 (Compounding Application)

**Hon'ble N.S. Dhanik, J.**

Mr. Bharat Singh, Advocate for the applicant.

Mr. Sudhir Chaudhary, learned Deputy A.G. for the State of Uttarakhand.

Ms. Geeta Arya, Advocate for respondent no. 2.

Heard learned counsel for the parties.

This criminal misc. application has been filed by the applicant to quash the charge-sheet, summoning order dated 10.04.2015 as well as the entire proceedings of Criminal Case No. 66 of 2015 State vs. Surendra (Case Crime No. 84/2014), under Sections 409, 420, 467, 468 & 471 of IPC, registered at P.S. Khanpur, District Haridwar, pending in the Court of learned Judicial Magistrate Laksar, District Haridwar *qua* the present applicant.

In the joint compounding application, duly supported by the affidavits of the applicant and the respondent no. 2, it has been stated that parties have amicably settled their disputes and the respondent no. 2 does not want to prosecute the accused applicant. Mr. Surendra (applicant) as well as the Mr. Shrawan Kumar @ Swarn (respondent no. 2/ complainant), duly identified by their respective Counsel are present before this Court today and they admitted the facts mentioned in the compounding application.

Learned State Counsel opposed the compounding application on the ground that Sections 409, 467, 468 & 471 of IPC are non-compoundable offences.

In view of the above and considering the principle of law laid down by Hon'ble Apex Court in *Nikhil Merchant v. C.B.I. & Ors*, (2008) 9 SCC 677; *B.S. Joshi v. State of Haryana & Anr* reported in (2003) 4 SCC 675, and in *Gian Singh v. State of Punjab & Another*, (2012) 10 SCC 303, the compounding application is allowed. Compromise arrived at between the parties is accepted. Consequently, the entire proceedings of Criminal Case No. 66 of 2015 State vs. Surendra (Case Crime No. 84/2014), under Sections 409, 420, 467, 468 & 471 of IPC, registered at P.S. Khanpur, District Haridwar, pending in the Court of learned Judicial Magistrate Laksar, District Haridwar *qua* the present applicant only, are hereby quashed.

The C-482 application is, accordingly, disposed of.

**(N.S. Dhanik, J.)**

12.09.2019

Kaushal