

No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>C-482 No. 1820 of 2021 <u>Hon'ble Alok Mahra, J.</u></p> <p>Mr. Vikas Bahuguna, learned counsel for the applicants.</p> <p>2. Mr. V.S. Pal, learned A.G.A. for the State.</p> <p>3. Mr. Gaurav Singh, learned counsel, holding brief of Mr. Sandeep Kothari, learned counsel for the respondent no. 2/complainant.</p> <p>4. The present criminal misc. application is filed with a prayer to set-aside and quash the chargesheet, cognizance/summoning order as well as the entire proceedings of Criminal Case No. 70 of 2020, under Section 323 of IPC, pending in the court of learned ACJM II, Dehradun, on the basis of compromise between the parties.</p> <p>5. The controversy in this case arose due to the attendance of one student Km. Ekta, who was studying in Class 12th in Marshall School, Dehradun, of which Mr. Rajnish Juyal is the Principal, while Mr. Govind Singh and Mr. Maan Singh are other employees of the said school. Since, attendance of the student was less than 75%, therefore, she was not permitted to appear in the Board Examination and thereby some altercations took place, and subsequently, FIR was lodged against the applicants under Sections 323, 504 and 506 of IPC.</p> <p>6. Now, Compounding Application is filed in the matter wherein it is prayed to compound the offences between the parties.</p> <p>7. Learned counsel for the applicants submits that the parties have amicably settled their dispute and have entered into a compromise.</p> <p>8. Parties are virtually present before this Court and are duly identified by their respective</p>

counsels. Parties have also filed their respective affidavits stating the facts of compromise between them.

9. The Court interacted with the parties. Upon interaction, respondent no. 2 submits that now she has amicably settled her dispute with the applicants and she does not want to pursue with the criminal proceedings against the applicant.

10. At this stage, learned State Counsel raised a preliminary objection to the effect that the offences sought to be compounded are non-compoundable.

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.

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 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 Criminal Case No. 70 of 2020, under Section 323 of IPC, pending in the court of learned ACJM II, Dehradun, are hereby quashed *qua* the applicants. 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.)

07.05.2026

Ujjwal

