

| No | Date | Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures | COURT'S OR JUDGES'S ORDERS   |
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|    |      |  | <p>C-528 No. 2108 of 2025<br/> <u><b>Hon'ble Alok Mahra, J.</b></u></p> <p>Mr. Shivansh Bahuguna, learned counsel for the applicant.</p> <p>2. Mr. V.S. Pal, learned A.G.A. for the State.</p> <p>3. Mr. V.P. Bahuguna, 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 Session Trial No. 02 of 2023, State Vs. Mamta, under Sections 307 and 452 of IPC, pending in the court of learned Additional Sessions Judge, Vikasnagar, District Dehradun, on the basis of compromise between the parties.</p> <p>5. An FIR was lodged by respondent no. 3, wherein, applicant, her husband Mahender Singh and son Amit Singh were named. After investigation, chargesheet was filed against them. During trial, Mahendra Singh died and tried got abated against him.</p> <p>6. Learned counsel for the applicant would submit that the role, which is assigned to the present applicant, is just of catching hold, but, applicant was not charged under Section 34 IPC. Therefore, Section 307 of IPC is not made out against</p> |

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|  |  | <p>the present applicant.</p> <p>7. Now, Compounding Application is filed in the matter wherein it is prayed to compound the offences between the parties.</p> <p>8. Learned counsel for the applicant submits that the parties have amicably settled their dispute and have entered into a compromise.</p> <p>9. 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>10. The Court interacted with the parties. Upon interaction, respondent nos. 2 and 3 submit that now they have amicably settled their dispute with the applicant and they do not want to pursue with the criminal proceedings against the applicant.</p> <p>11. 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>12. 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>13. 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</p> |
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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.

14. 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 Session Trial No. 02 of 2023, State Vs. Mamta, under Sections 307 and 452 of IPC, pending in the court of learned Additional Sessions Judge, Vikasnagar, District Dehradun, are hereby quashed *qua* the applicant. FIR and charge-sheet filed pursuant thereto stand quashed.

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

**(Alok Mahra J.)**

06.05.2026

Ujjwal