



2026:UHC:645

HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Criminal No. 188 of 2026

27 January, 2026

Tejpal and anotherPetitioners

Vs.

State of Uttarakhand and others Respondents

Presence:-

Mr. Aakib Ahmed, Advocate for the petitioners.
Mr. S.C.Dumka, learned AGA for the State/respondent nos. 1 to 3.
Mr. Vivek Kumar, learned counsel for the respondent no. 4.

Hon'ble Subhash Upadhyay, J. (oral)

The present criminal writ petition has been filed with the following prayers:

- “(i) Issue a writ, order or direction in the nature of certiorari quashing the First Information Report No. 0288 of 2025 under Section 420 of IPC, Police Station Kichha, District Udhampur, Singh Nagar.*
- “(ii) A writ order of direction in the nature of mandamus commanding the respondents no coercive action adopted against the petitioner in connection with FIR No. 0288 of 2025, under Sections 420 of IPC, Police Station Kichha, District Udhampur, Singh Nagar.”*

2. A Compounding Application No. 2 of 2026 has been filed by the petitioners Tejpal, Rajesh Sharma and the respondent no.4 Vishal Phutela. The Compounding



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Application is duly supported by the affidavits of the petitioners and the respondent no.4. The petitioners and the respondent no.4 appeared before the Court in person and they have been identified by their respective counsels. In the affidavit, filed in support of the compounding application, the parties have made the following averments:-

“(i) That during pendency of the present dispute, with the intervention of respectable persons and well wishers, the petitioners and respondent no. 4 have amicably resolved all their disputes and difference arising out of the impugned FIR. The settlement has been reduced into writing by way of a duly executed compromise/ settlement deed dated 16.01.2026, executed on proper e-stamp paper and duly notarized.

(ii) That as per the terms of the settlement, all claims and counter-claims between the parties relating to the alleged transaction of vehicle bearing registration No. UK06-CB-7348 have been fully and finally settled, and nothing remains due or payable by either parity to the other.

iii, That the respondent no.4 has categorically agreed that he does not wish to pursue the criminal proceedings any further and has no objection if the impugned FIR No. 0288 of 2025, registered at Police Station Kichha, District Udhampur under Section 420 IPC and all consequential proceedings are quashed by this Hon’ble Court.

iv. That the settlement has been arrived at voluntarily, without any pressure, coercion or undue influence from any side, and the same reflects the true intention of the parties to put an end to all litigation arising out of the subject matter of the FIR.

v. That in view of the amicable settlement and the



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private nature of dispute, continuation of the criminal proceedings would serve no useful purpose and would amount to abuse of the process of law, warranting interference by this Hon'ble Court under article 226 of the Constitution of India to secure the ends of justice. ”

3. Having heard learned counsel for the parties as well as the petitioners and the respondent no.4 and in view of the law laid down by the Hon'ble Apex Court in the case of ***Nikhil Merchant Vs. C.B.I.***, reported in ***2008 (9) SCC 677*** as well as in the case of ***Gian Singh Vs. State of Punjab, reported in 2013 (1) SCC (Crl) 160***, the Compounding Application No. 2 of 2026 is allowed. The offences between the parties are compounded in terms of the conditions mentioned in the compounding application. Accordingly, the First Information Report No. 0288 of 2025, under Section 420 IPC, registered at Police Station Kichha, District Udhampur, qua the petitioners is hereby quashed. .

4. Present Criminal Writ Petition stands disposed of in the aforesaid terms.

(SUBHASH UPADHYAY, J.)

Dated: 27.01.2026
Kaushal