

Sl. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>IA No.01 of 2022 (Compounding Applications) In C482 No.1223 of 2022 With C482 No.1224 of 2022 <u>Hon'ble Sharad Kumar Sharma, J.</u></p> <p>Mr. Pradeep Chamyal, Advocate, for the applicants.</p> <p>Mr. V.K. Jemini, D.A.G., for the State of Uttarakhand.</p> <p>Mr. B.S. Bhandari, Advocate, for the respondent.</p> <p>These C482 applications have been preferred by the named accused persons, who have been named in the FIR No.262, dated 04.08.2020, as it was registered by the complainant Mr. Satnam Singh, for their alleged involvement in the commission of the offences under sections 323, 386, 504 and 506 of IPC, wherein, the complainant has levelled an allegation, that the present applicants, who were engaged in the commission of the offences of taking objectionable videos of the victims, namely, Laxmi and Pooja, and further when they were apprehended from doing so that they had rather threatened and assaulted the complainant, and made an attempt of extortion as it has been referred to in the FIR.</p> <p>The matter was investigated upon and the Chargesheet No.02, dated 14.12.2020, has been submitted. Subsequent to which, it initiated the</p>

		<p>proceedings of the Criminal Case No.1101 of 2020, “State Vs. Manish”, and Criminal Case No.961 of 2020, “State Vs. Bharat Pal and others”, wherein, the applicants have been summoned to be tried for the offences under sections 323, 354 (ga), 386, 504, 506, 452 and 411 of IPC, as well as, under section 67 of the Information Technology Act.</p> <p>The C482 Application is accompanied with the compounding application. Some of the offences which have been levelled against the present applicants and which has been found to have been established by the submission of the chargesheet are not compoundable, and the said compounding application has been objected by the learned Government Advocate by filing one of the counter affidavits in C482 Application No.1224 of 2022, which has been borrowed to be read for C482 Application No.1223 of 2022.</p> <p>The compounding application has been vehemently opposed on the ground that looking to the set of allegations levelled in the FIR in fact the applicants were not known to the victim, whose videos they have prepared and later on the said act of the applicants were found to have been established, after the submission of the FSL report.</p> <p>Since the offence committed by the present applicants is as against the society and rather atrocious too because the innocent females have been subjected to the criminal offence</p>
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			<p>carried against them against their wishes under duress, particularly, for the offences under sections 386 and 452 of IPC. This Court is not inclined to interfere in the C482 applications, the C482 applications are hereby accordingly dismissed.</p> <p>However, the victims have expressed an apprehension, that though they have compounded the matter, they might be harassed by the applicants at the stage when the trial is conducted by the Court. The applicants are hereby warned that in case, if they indulge in any nefarious activities, as against the victims of the FIR No.262, dated 04.08.2020, it would be open for the victim, as well as the complainant to file an appropriate application before the competent Police Authority or even before this Court, who has taken the cognizance to the proceedings by issuing the respective summoning order, or even before this Court by filing an application so that an appropriate action may be taken against the present applicants for their alleged demeanour.</p> <p>Looking to the seriousness of the offence, where the females have been victimized by the present applicants, this Court is not inclined to interfere in the C482 applications, the same are accordingly dismissed along with its compounding application.</p> <p style="text-align: right;">(Sharad Kumar Sharma, J.) 22.02.2023</p> <p>NR/</p>
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