

(2024) 12 UK CK 0108

In the Uttarakhand High Court

Case No : Criminal Miscellaneous Application No. 972 Of 2024

Abhishek And Four Others

APPELLANT

Vs

State Of Uttarakhand And Another

RESPONDENT

Date of Decision : 18-12-2024

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 528
Indian Penal Code, 1860 — Section 498A, 506
Dowry Prohibition Act, 1961 — Section 3, 4

Citation : (2024) 12 UK CK 0108

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Amit Kapri, Bhaskar Joshi, Sweta Badola Dobhal, Deep Prakash Bhatt

Final Decision : Disposed Of

Judgement

Alok Kumar Verma, J

1. The present Application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed to quash the entire proceedings of Criminal Case No. 4256 of 2023, "State vs. Abhishek and Others", pending before the Court of Ist Additional Chief Judicial Magistrate, Dehradun under Section 498A, Section 506 of the Indian Penal Code, 1860 and Section 3/4 of the Dowry Prohibition Act, 1961.

2. The respondent no. 2 - Smt. Priyanka is the wife of the applicant no. 1 - Abhishek. Applicant nos. 2 to 5 are the family members of the applicant no. 1. The applicants and the respondent no. 2 have filed a Compounding Application (I A No. 01 of 2024).

3. Mr. Amit Kapri, learned counsel for the applicants, Mr. Bhaskar Joshi, learned A.G.A. assisted by Ms. Sweta Badola Dobhal, learned Brief Holder for the respondent no. 1 and Mr. Deep Prakash Bhatt, learned counsel for the respondent no.2.

4. All the applicants and the respondent no. 2 are present through video conferencing. The applicants are identified by Mr. Amit Kapri, Advocate. The respondent no. 2 is identified by Mr. Deep Prakash Bhatt Advocate.
5. Both, the applicants and the respondent no. 2 submitted that there were matrimonial disputes between them. They have resolved their disputes and after resolving their disputes, they have filed a Compounding Application with their affidavits.
6. Respondent no.2 - Smt. Priyanka has submitted that after resolving her matrimonial disputes, she has filed an affidavit with her free will and without any pressure. She has further submitted that she does not want to proceed with the said criminal case.
7. Learned counsel for the State submitted that there were matrimonial disputes between the parties and they have resolved their disputes, therefore, the State has no objection to quash the proceedings of the criminal case.
8. Keeping in view of the totality of the facts and circumstances of the case, this Court is of the view that ends of justice would be met, if the entire proceedings of Criminal Case No. 4256 of 2023, "State vs. Abhishek and Others", pending before the Court of Ist Additional Chief Judicial Magistrate, Dehradun, are quashed.
9. Resultantly, the entire proceedings of Criminal Case No. 4256 of 2023, "State vs. Abhishek and Others", pending before the Court of Ist Additional Chief Judicial Magistrate, Dehradun, are hereby quashed.
10. Present Criminal Miscellaneous Application (No. 972 of 2024), filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is disposed of accordingly.