

(2022) 07 UK CK 0081

In the Uttarakhand High Court

Case No : Criminal Miscellaneous Application No. 1195 Of 2022

Akhtar Khan And Smt. Aneesa

APPELLANT

Vs

State Of Uttarakhand And Another

RESPONDENT

Date of Decision : 15-07-2022

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 323, 328, 377, 498A, 504, 506
Dowry Prohibition Act, 1961 — Section 3, 4

Citation : (2022) 07 UK CK 0081

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Mohd. Azim, Pratiroop Pandey, Mohd. Umar

Final Decision : Disposed Of

Judgement

Alok Kumar Verma, J

1. This is an application, filed under Section 482 of the Code of Criminal Procedure, 1973, to quash the entire proceedings of Criminal Case No.1146 of 2020, pending before the court of Additional Chief Judicial Magistrate, Ramnagar, District Nainital.

2. After completion of the investigation, the learned trial court took the cognizance and passed the summoning order under Sections 323, 328, 377, 498A, 504, 506 of IPC, and, Section 3/4 of the Dowry Prohibition Act, 1961, against the present applicant, namely, Akhtar Khan, husband of the respondent no.2, and, the summoning order was passed under Sections 323, 498A, 504, 506 of IPC, and, Section 3/4 of the Dowry Prohibition Act, 1961 against the applicant no.2, namely, Smt. Aneesa, the mother of the applicant no.1 .

3. Heard Mr. Mohd. Azim, learned counsel for the applicants, Mr. Pratiroop Pandey, learned AGA for the State and Mr. Mohd. Umar, learned counsel for the respondent no.2/informant/victim.

4. Both the applicants are present in-person before this Court and they are identified by Mr. Mohd. Azim, Advocate.
5. The respondent no.2 – Smt. Parveen is present in-person and she is identified by Mr. Mohd. Umar, Advocate.
6. Both, the applicants and the respondent no.2 submitted that there were matrimonial and family disputes between them and they have resolved their disputes. They submitted that after resolving their disputes they have filed a joint Compounding Application (IA No.01 of 2022) with their affidavits.
7. The respondent no.2 further submitted that she has filed the compounding application along with her affidavit with her free will and without any pressure and she does not want to proceed with the said criminal case against the applicants.
8. The learned counsel appearing for the State submitted that there were matrimonial disputes between the parties and they have resolved their disputes.
9. 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.1146 of 2020, pending before the court of Additional Chief Judicial Magistrate, Ramnagar, District Nainital, are quashed.
10. Resultantly, the entire proceedings of Criminal Case No.1146 of 2020, pending before the court of Additional Chief Judicial Magistrate, Ramnagar, District Nainital, are quashed.
11. The Criminal Miscellaneous Application No.1195 of 2022, filed under Section 482 of the Code of Criminal Procedure, is disposed of accordingly.