
(2023) 01 UK CK 0071

In the Uttarakhand High Court

Case No : Criminal Miscellaneous Application No. 85 of 2023

Arun Arora Alias Annu And Others

APPELLANT

Vs

State Of Uttarakhand And Another

RESPONDENT

Date of Decision : 13-01-2023

Acts Referred:

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

Citation : (2023) 01 UK CK 0071

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : D.N. Sharma, Manju Bahuguna, T.C. Agarwal, Lata Negi, J.P. Pandey

Final Decision : Disposed Of

Judgement

Alok Kumar Verma, J

1. The present application has been filed under Section 482 of the Code of Criminal Procedure, 1973 to quash the charge-sheet dated 19.08.2021, summoning order dated 02.04.2022 along with entire proceedings of Criminal Case No.2422 of 2022, "State vs. Arun Arora alias Annu and Others", pending before the Court of Ist Judicial Magistrate, Udham Singh Nagar for the offence under Sections 323, 504, 506, 498A of the Indian Penal Code, 1860 and Section 3/4 of the Dowry Prohibition Act, 1961.

2. Heard Mr. D.N. Sharma with Mrs. Manju Bahuguna, learned counsel for the applicants, Mr. T.C. Agarwal, learned Deputy Advocate General assisted by Mrs. Lata Negi, learned Brief Holder for the State and Mr. J.P. Pandey, learned counsel for the respondent no.2.

3. Mr. D.N. Sharma, learned counsel for the applicants submitted that all the applicants – accused persons, namely Arun Arora alias Annu, husband of the respondent no.2, Abhishek Arora and Bhuvnesh Kumar are present in-person

before the Court. They are identified by Mr. D.N. Sharma, Advocate.

4. Mr. J.P. Pandey, Advocate submitted that respondent no.2 – Smt. Megha, informant and victim is present in-person before this Court. She is identified by Mr. J.P. Pandey, Advocate.

5. Respondent no.2 and all the applicants submitted that there were matrimonial disputes between them and they have resolved their disputes. After resolving their disputes, they have filed a Compounding Application (IA No.1 of 2023) along with their affidavits with their free will and without any pressure.

6. The respondent no.2 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.

8. Keeping in view of the totality of the fact and circumstances of the case, this Court is of the view that ends of justice would be met, if the charge-sheet dated 19.08.2021, summoning order dated 02.04.2022 along with entire proceedings of Criminal Case No.2422 of 2022, "State vs. Arun Arora alias Annu and Others", pending before the Court of Ist Judicial Magistrate, Udham Singh Nagar for the offence under Sections 323, 504, 506, 498A of the Indian Penal Code, 1860 and Section 3/4 of the Dowry Prohibition Act, 1961, are quashed.

9. Resultantly, the charge-sheet dated 19.08.2021, summoning order dated 02.04.2022 along with entire proceedings of Criminal Case No.2422 of 2022, "State vs. Arun Arora alias Annu and Others", pending before the Court of Ist Judicial Magistrate, Udham Singh Nagar for the offence under Sections 323, 504, 506, 498A of the Indian Penal Code, 1860 and Section 3/4 of the Dowry Prohibition Act, 1961, are quashed.

10. The Criminal Misc. Application (No.85 of 2023), filed under Section 482 of the Code of Criminal Procedure, 1973, is disposed of accordingly.