
(2022) 06 UK CK 0065

In the Uttarakhand High Court

Case No : Criminal Miscellaneous Application No. 1777 Of 2016

Beena Gupta And Two Others

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 20-06-2022

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 : (2022) 06 UK CK 0065

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Raj Kumar Singh, Ranjan Ghildiyal, P.C. Petshali

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.1023 of 2015, "State vs. Krishna Murari Gupta and Others", pending before the IIInd Judicial Magistrate, Dehradun.

2. After completion of the investigation, charge-sheet was filed. The learned trial court took the cognizance and passed the summoning order for the offence under Sections 323, 504, 506, 498A of IPC and Section 3/4 of the Dowry Prohibition Act, 1961.

3. Heard Mr. Raj Kumar Singh, learned counsel for the applicants, Mr. Ranjan Ghildiyal, learned AGA for the State and Mr. P.C. Petshali, learned counsel for the respondent nos.2 and 3/informant/victim.

4. The learned counsel appearing for the applicants submitted that Smt. Beena Gupta, the applicant no.1 – accused has died on 05.05.2021. The learned counsel appearing for the State has admitted the said fact that Smt. Beena

Gupta, the applicant no.1, has died on 05.05.2021.

5. The applicant no.2 and the applicant no.3, namely, Krishna Murari Gupta and Vinod Gupta are present in-person and they are identified by Mr. Raj Kumar Singh, Advocate.

6. The respondent no.2 – Smt. Manju Rajwanshi, the informant and Smt. Neha, the victim, are present in-person and they are identified by Mr. P.C. Petshali, Advocate.

7. The respondent no.2, the respondent no.3 and both the applicants submitted that there were matrimonial disputes between them and after resolving the said disputes, they have filed a joint Compounding Application (IA No.1336 of 2022) along with affidavits with their free will and without any pressure.

8. The respondent no.2 and the respondent no.3 further submitted that they do not want to proceed with the said criminal case against the applicants.

9. The learned counsel for the State submitted that there were matrimonial disputes and the said disputes have been resolved, therefore, the State has no objection.

10. 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.1023 of 2015, "State vs. Krishna Murari Gupta and Others", pending before the IInd Judicial Magistrate, Dehradun, are quashed.

11. Resultantly, the entire proceedings of Criminal Case No.1023 of 2015, "State vs. Krishna Murari Gupta and Others", pending before the IInd Judicial Magistrate, Dehradun, are quashed.

12. The Criminal Miscellaneous Application No.1777 of 2016, filed under Section 482 of the Code of Criminal Procedure, is disposed of accordingly.