
(2011) 02 UK CK 0078

In the Uttarakhand High Court

Case No : Criminal Writ Petition No. 1075 of 2010

Birma and Soraj

APPELLANT

Vs

State of Uttarakhand and Smt. Depa

RESPONDENT

Date of Decision : 19-02-2011

Acts Referred:

Constitution of India, 1950 — Article 226
Dowry Prohibition Act, 1961 — Section 3, 4
Penal Code, 1860 (IPC) — Section 323, 498A, 504, 506

Citation : (2011) 02 UK CK 0078

Hon'ble Judges : Prafulla C. Pant, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Prafulla C. Pant, J.—Heard.

2. By means of this writ petition moved under Article 226 of Constitution of India, the Petitioners have sought quashing of the first information report dated 30.11.2010, registered as crime No. 269 of 2010, relating to offences punishable u/s 323, 504, 506, 498A IPC, and one punishable u/s 3/4 of Dowry Prohibition Act, 1961, Police Station -Kotwali Laksar, District Haridwar.

3. Learned Counsel for the parties state that parties to the matrimony have entered into compromise and living together as such, now the complainant (Respondent No. 3 Smt. Deepa) is not willing to prosecute the Petitioners.

4. Also, learned G.A., states that after completion of investigation final report has already been submitted in the matter. It is also pertinent to mention here that a compromise application No. 965 of 2011, supported by affidavit has been filed before this Court by the parties concerned.

5. In view of the fact that investigation is over, and final report has been submitted as no offence is said to have been made out against the Petitioners, this Court is of the view that this writ petition seeking quashing of the FIR has

become infructuous.

6. Therefore, the writ petition is dismissed as infructuous in the light of observation made above. (Compromise Application No. 965 of 2011, stands disposed of).