

(2023) 09 UK CK 0029

In the Uttarakhand High Court

Case No : Criminal Writ Petition No. 1282 Of 2023, Compounding Application IA No. 1 Of 2023

Gurjeet Kaur

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 11-09-2023

Acts Referred:

Indian Penal Code, 1860 — Section 380, 411, 457

Citation : (2023) 09 UK CK 0029

Hon'ble Judges : Ravindra Maithani, J

Bench : Single Bench

Advocate : Gaurav Singh, V.S. Rawat, Ravindra S. Rawat

Final Decision : Allowed/ Disposed Of

Judgement

Ravindra Maithani, J

1. The petitioner seeks quashing of the FIR No.320 of 2023, under Sections 380, 457 and 411 IPC, Police Station Ranipur, District- Haridwar, on the basis of amicable settlement between the parties. A joint compounding application has been filed along with the affidavits.
2. Heard learned counsel for the parties and perused the record.
3. According to the FIR, a theft was committed in the house of the respondent no.3, the informant, which was informed to him by the petitioner herself. Subsequently, it was revealed that, in fact, it is the petitioner, who had entered into the house of the informant on the date of incident, and, thereafter, the petitioner damaged the CCTV cameras, etc.
4. Learned counsel for the petitioner would submit that the petitioner is the tenant in the house of the informant; parties have settled the dispute amicably. The petitioner is in jail.
5. The petitioner joined the proceedings through video conferencing from District

Jail-Haridwar, as identified by Mr. Gaurav Singh, Advocate for the petitioner and by Mr. Manoj Arya, Senior Jail Superintendant, Haridwar. The respondent no.3, the informant, also joined the proceedings through video conferencing, as identified by Mr. Raving S. Rawat, Advocate for the respondent no.3. They have accepted the compromise.

6. Having considered all the attending factors, this Court is of the view that it is a case, which may be decided on the basis of amicable settlement between the parties. Accordingly, the petition deserves to be allowed.

7. Accordingly, the petition is allowed. The FIR No.320 of 2023, under Sections 380, 457 and 411 IPC, Police Station Ranipur, District- Haridwar, is hereby quashed qua the petitioner.

8. The petitioner is in jail. She be released forthwith, if not wanted in any other case.

9. Compounding Application No. 01 of 2023 stands disposed of, accordingly.

10. Let a certified copy of this order be supplied to learned counsel for the parties, today itself, on payment of usual charges.