

(2023) 02 UK CK 0109

In the Uttarakhand High Court

Case No : Criminal Miscellaneous Application No. 353 Of 2023

Harpreet Singh And Three Others

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 25-02-2023

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) 02 UK CK 0109

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : M.S. Bhandari, T.C. Agarwal, Shivangi Gangwar, Pranav Saxena

Final Decision : Disposed Of

Judgement

Alok Kumar Verma, J

1. Harpreet Singh, Manjinder Singh, Jaspreet Singh and Manpreet Singh, the applicants – accused persons, have invoked the inherent jurisdiction of this Court under Section 482 of the Code of Criminal Procedure, 1973 to quash the entire proceedings of Criminal Case No.361 of 2023, "State vs. Manjinder Singh and Others", pending before the Court of Chief Judicial Magistrate, Dehradun.

2. Subsequent to submission of charge-sheet, learned Trial Court took the cognizance and passed the summoning order against the present applicants for the offence under Sections 498A, 323, 504, 506 IPC and Section 3/4 of the Dowry Prohibition Act, 1961.

3. Heard Mr. M.S. Bhandari, learned counsel for the applicants-accused persons, Mr. T.C. Agarwal, learned Deputy Advocate General assisted by Ms. Shivangi Gangwar, learned Brief Holder for the State and Mr. Pranav Saxena, learned counsel for the respondent no.3/informant/victim.

4. Applicant no.1, husband of the respondent no.3, and the respondent no.3-

Smt. Gurpreet Kaur, informant/victim are present in-person.

5. Applicant is identified by Mr. M.S. Bhandari, Advocate and respondent no.3 is identified by Mr. Pranav Saxena, Advocate.

6. Both, the applicant no.1 and the respondent no.3 have submitted that there were matrimonial disputes between them and the said disputes have already been settled.

7. Both, the applicant and the respondent no.3 submitted that they have filed a joint compounding application along with affidavits with their free will and without any pressure. Respondent no.3 further submitted that she does not want to proceed with the said criminal case.

8. Learned counsel for the State submitted that there were matrimonial disputes and the said disputes have already been resolved, therefore, State has no objection.

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.361 of 2023, "State vs. Manjinder Singh and Others", pending before the Court of Chief Judicial Magistrate, Dehradun, are quashed.`

10. Resultantly, the entire proceedings of Criminal Case No.361 of 2023, "State vs. Manjinder Singh and Others", pending before the Court of Chief Judicial Magistrate, Dehradun, are quashed.

11. Criminal Miscellaneous Application No.353 of 2023, filed under Section 482 of the Code of Criminal Procedure, is disposed of accordingly.