

(2024) 01 UK CK 0033

In the Uttarakhand High Court

Case No : Criminal Writ Petition No. 14 Of 2024, Compounding Application IA
No. 1 Of 2024

Himanshu Mehta And Others

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 06-01-2024

Acts Referred:

Indian Penal Code, 1860 — Section 323, 498A, 504, 506
Dowry Prohibition Act, 1961 — Section 3, 4

Citation : (2024) 01 UK CK 0033

Hon'ble Judges : Ravindra Maithani, J

Bench : Single Bench

Advocate : D.C.S. Rawat, K.S. Bora, J.P. Kandpal, R.K. Chauhan

Final Decision : Allowed/ Disposed Of

Judgement

Ravindra Maithani, J

1. The petitioners Himanshu Mehta, Prem Singh Mehta, Deepa Mehta, Manish Mehta, Sunita and Sudhanshu Mehta seek quashing of FIR No.0294 of 2022, under Sections 323, 498-A, 504 and 506 IPC and Section 34 of the Dowry Prohibition Act, 1961, Police Station ITI, District- Udham Singh Nagar, 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, the respondent no.3, the informant, and the petitioner no. 1, Himanshu Mehta, were married on 11.12.2021, but after marriage, the informant was harassed and tortured for and in connection with the demand of dowry. She was abused with obscene remarks. The FIR is quite in detail.

4. It is the case of the petitioners that the matter has been amicably settled between the parties; the parties have decided to stay separate.

5. All the petitioners except the petitioner no.5, Sunita, are present before the Court. The petitioner no.5, Sunita, joined the proceedings through video conferencing. The respondent no.3, the informant, is also present before the Court. They all are identified by their respective counsel. They have accepted the compromise.

6. The Court particularly asked the respondent no.3, the informant. She would submit that she does not want to proceed with the proceedings of the case.

7. 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.

8. Accordingly, the petition is allowed. The FIR No.0294 of 2022, under Sections 323, 498-A, 504 and 506 IPC and Section 34 of the Dowry Prohibition Act, 1961, Police Station ITI, District- Udham Singh Nagar, is hereby quashed.

9. Compounding Application No. 01 of 2024 stands disposed of, accordingly.