

(2018) 04 UK CK 0070

In the Uttarakhand High Court

Case No : Compounding Application No. 687 of 2018 In Criminal Misc.
Application No. 653 of 2018

KAMALANAND UNIYAL MR. D.S. DHAMI

Date of Decision : 19-04-2018

Acts Referred:

Dowry Prohibition Act, 1961 — Section 3, 4

Citation : (2018) 04 UK CK 0070

Hon'ble Judges : V.K. BIST, J

Bench : Single Bench

Advocate : Lalit Sharma, S.K. Chaudhary, Manoj Kumar

Final Decision : Disposed Off

Judgement

1. Heard learned counsel for the parties.

2. The criminal misc. application has been filed by the applicant for quashing the impugned charge sheet dated 23.11.2016 filed in F.I.R. No. 119 of

2016, summoning order dated 11.04.2017, order dated 16.03.2018 and entire proceedings of Criminal Case No. 1976 of 2017, State v. Ved

Prakash and others, under Section 323, 504, 506, 498-A I.P.C. and Section 3/4 Dowry Prohibition Act, Police Station Pulbhatta, District Udham

Singh Nagar pending in the Court of Civil Judge (Junior Division/ Judicial Magistrate Rudrapur, District Udham Singh Nagar. Along with the

application, joint compounding application has also been filed. In support of compounding application, affidavits have been filed by applicant no. 1 (Ved

Prakash) and respondent no. 2 (Smt. Neetu). It is stated in the affidavit that parties have settled their dispute amicably and respondent no. 2 is not

willing to proceed the case further against the applicants.

3. Parties are present before this Court on today and they are identified by their respective Counsel. They verified the contents of the compromise

application.Â

4. It is prayed that the offences punishable under Sections 323, 504, 506, 498-A I.P.C. and Section 3/4 Dowry Prohibition Act, registered at Police

Station Pulbhatta, District Udham Singh Nagar may be compounded and the proceedings of Criminal Case No. 1976 of 2017, â??State v. Ved

Prakash and othersâ?, under Section 323, 504, 506, 498-A I.P.C. and Section 3/4 Dowry Prohibition Act, Police Station Pulbhatta, District Udham

Singh Nagar pending in the Court of Civil Judge (Junior Division/ Judicial Magistrate Rudrapur, District Udham Singh Nagar may be quashed.Â Â Â

5. Learned State Counsel submitted that aforesaid sections are compoundable.Â Â

6. In view of the principle of law laid down by Honâ??ble the Apex Court in the case of Gian Singh vs. State of Punjab reported in 2012 (10) SCC

303 as well as in Transfer Petition (Criminal) No. 115 of 2012 (Dimpey Gujral vs. Union Territory of Chandigarh) decided on 06.12.2012, criminal

proceedings can be quashed by this Court, if this Court is satisfied that matter has been settled between the parties amicably and parties are interested

to restore peace and harmony between them.

7. Having considered submission of learned counsel for the parties, and after going through the entire material available on record, I am satisfied that

the matter has been settled between the parties amicably. Therefore, the criminal misc. application deserves to be allowed.

8. Accordingly, the criminal misc. application is allowed.Â Proceedings of Criminal Case No. 1976 of 2017, â??State v. Ved Prakash and othersâ?,

under Section 323, 504, 506, 498-A I.P.C. and Section 3/4 Dowry Prohibition Act, Police Station Pulbhatta, District Udham Singh Nagar pending in

the Court of Civil Judge (Junior Division/ Judicial Magistrate Rudrapur, District Udham Singh Nagar, is hereby quashed, qua the applicants.Â

9. Compounding application is, accordingly, disposed of.