
(2023) 12 UK CK 0075

In the Uttarakhand High Court

Case No : Criminal Miscellaneous Application No. 2329 Of 2023

Madhu Sharma And Another

APPELLANT

Vs

State Of Uttarakhand And Another

RESPONDENT

Date of Decision : 12-12-2023

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
Hindu Marriage Act, 1955 — Section 13B

Citation : (2023) 12 UK CK 0075

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Naman Kamboj, M.K. Chand, Ankush Tyagi

Final Decision : Disposed Of

Judgement

Alok Kumar Verma, J

1. Present Application has been filed under Section 482 of the Code of Criminal Procedure, 1973 to quash the entire proceedings of Criminal Case No.3132 of 2023, "State vs. Sunny Sharma and Another", pending before the Court of Chief Judicial Magistrate, Udham Singh Nagar under Sections 498A, 323, 504, 506 of the Indian Penal Code, 1860 and Section 3/4 of the Dowry Prohibition Act, 1961.
2. Both the applicants, namely Smt. Madhu Sharma, aged about 73 years, and Sunny Sharma are present through video conferencing. Respondent No.2 Madhuri Sharma, the informant/victim, is present through video conferencing.
3. Mr. Naman Kamboj, learned counsel for the applicants, Mr. M.K.Chand, learned A.G.A. for the State and Mr. Ankush Negi, learned counsel for the respondent no.2.
4. Both the applicants are identified by Mr. Naman Kamboj, Advocate. Respondent No.2 is identified by Mr. Ankush Negi, Advocate.

5. Both, the applicants and respondent no. 2 submitted that applicant no.2 and respondent no.2 have been granted divorce by mutual consent under Section 13B of the Hindu Marriage Act, 1955. They further submitted that they have filed a Compounding Application along with affidavits with their free will and without any pressure.
6. Respondent No.2-Madhuri Sharma further submitted that she does not want to proceed further with the said Criminal Case No.3132 of 2023.
7. Mr. M.K. Chand, A.G.A. appearing for the State submitted that the applicants and respondent no. 2 have resolved their matrimonial disputes, therefore, the State has no objection to quash the entire proceedings of the said criminal case.
8. 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.3132 of 2023, "State vs. Sunny Sharma and Another", pending before the Court of Chief Judicial Magistrate, Udham Singh Nagar, are quashed.
9. Consequently, the entire proceedings of the Criminal Case No.3132 of 2023, "State vs. Sunny Sharma and Another", pending before the Court of Chief Judicial Magistrate, Udham Singh Nagar, are hereby quashed.
10. The Application, filed under Section 482 of the Code of Criminal Procedure, 1973 is disposed of accordingly.