
(2020) 11 UK CK 0072

In the Uttarakhand High Court

Case No : Criminal Miscellaneous Application No. 751 Of 2020

Maresh alias Anshu

APPELLANT

Vs

State Of Uttarakhand & Another

RESPONDENT

Date of Decision : 25-11-2020

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 323, 498A, 506
Dowry Prohibition Act, 1961 — Section 3, 4

Citation : (2020) 11 UK CK 0072

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Mani Kumar, Pratiroop Pandey, Priyanka Agarwal, Kishore Rai

Final Decision : Disposed Of

Judgement

Alok Kumar Verma, J

1. This application under Section 482 of the Code of Criminal Procedure, 1973 has been filed by the applicant-accused to quash and set aside the

charge sheet dated 05.05.2017 along with entire proceedings of Criminal Case No.370 of 2018, State vs. Mahesh @ Anshu under Sections 323,

498A, 506 of the I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act, 1961, pending before the court of learned Judicial Magistrate/IIIrd

Additional Civil Judge (Sr. Div.), Rudrapur District Udham Singh Nagar.

2. Heard applicant-Mahesh @ Anshu along with his learned counsel Mr. Mani Kumar, Advocate, Mr. Pratiroop Pandey, learned A.G.A. for the State

and Smt. Priyanka Agarwal, respondent Nos.2 along with her learned counsel Mr. Kishore Rai, Advocate.

3. Register.

4. Perused and gone through the records.

5. The trial court took cognizance of the offence punishable under Sections 323, 498A, 506 of the I.P.C. and Sections 3 and 4 of the Dowry

Prohibition Act, 1961 against the applicant-accused.

6. Both the parties and their learned counsel submit that parties have settled their disputes amicably and reached to compromise pursuant to which

private respondent No.2 is agree to compound the offences as alleged against the applicant-accused.

7. Parties, including their learned counsel, are present through video conferencing. The applicant-accused and respondent No.2 are duly identified by their learned counsel.

8. Both the parties have reached to an amicable settlement. The affidavits to this effect have also been filed.

9. The respondent No.2 submits that she filed her affidavit with her free will, without any pressure and she does not want to proceed with this case

against the applicant-accused.

10. Learned A.G.A. appearing for the State submits that State has only formal objection against the submissions of applicant and respondent No.2.

11. The said disputes between the parties are private disputes.

12. Keeping in view of the totality of the facts and circumstances, this Court is of the view that ends of justice would be met if, the charge sheet dated

05.05.2017 along with the entire proceedings of Criminal Case No.370 of 2018, pending before learned Judicial Magistrate/III Additional Civil Judge

(Sr. Div.), Rudrapur, District Udham Singh Nagar are quashed. Resultantly, the charge sheet dated 5.05.2017 along with entire proceedings of

Criminal Case No.370 of 2018 â??State vs. Mahesh @ Anshuâ? under Sections 323, 498 A, 506 of the I.P.C. and Sections 3 and 4 of the Dowry

Prohibition Act, 1961, pending before the court of learned Judicial Magistrate/III Additional Civil Judge (Sr. Div.), Rudrapur, District Udham Singh

Nagar are quashed.

13. This Criminal Misc. Application, filed under Section 482 of the Code of Criminal Procedure, 1973, is disposed of accordingly.