

(2011) 08 UK CK 0181

In the Uttarakhand High Court

Case No : Criminal Miscellaneous Application (C-482) No. 761 of 2011

Mohan Singh, Chajju Singh, Jasvinder Singh and Sarjeet Singh

APPELLANT

Vs

State of Uttarakhand and Others

RESPONDENT

Date of Decision : 24-08-2011

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 320, 482
Penal Code, 1860 (IPC) — Section 323, 324, 504, 506

Citation : (2011) 08 UK CK 0181

Hon'ble Judges : Prafulla C. Pant, J

Bench : Single Bench

Final Decision : Allowed

Judgement

Prafulla C. Pant, J.—Heard.

2. By means of this petition, moved u/s 482 of Code of Criminal Procedure, 1973, the Petitioners have sought quashing of the proceedings of Sessions Trial No. 47 of 2006, State v. Mohan Singh and others, relating to offences punishable u/s 323, 504, 506 and 324 I.P.C., pending in the court of Additional Sessions Judge/Ist Fast Track Court, Nainital.

3. Learned Counsel for the Petitioners, and learned Counsel for the Respondent No. 2 to 5 stated that it is a case of MAARPEET between the members of two families who are related to each other. The incident is said to have been taken place on 18.07.2005. There are cross versions of the incident, and cross cases pending before the court below. It is further pointed out by learned Counsel for the parties, that since the parties are close relatives, and it is a case of simple MAARPEET they have entered into compromise. A copy of compromise is filed as Annex

4. The offences punishable u/s 323, 504, 506 and 324 I.P.C., are compoundable u/s 320 of Code of Criminal Procedure.

5. Having heard learned Counsel for the parties, and after going through the papers on record, including the compromise which is verified by the injured, and aggrieved persons before this Court, this Court is of the view this petition deserves to be allowed. The petition u/s 482 of Code of Criminal Procedure ., is allowed. The proceedings of Sessions Trial No. 47 of 2006, State v. Mohan Singh and others, relating to offences punishable u/s 323, 504, 506 and 324 I.P.C., pending in the court of Additional Sessions Judge/Ist Fast Track Court, Nainital, are hereby quashed.