
(2011) 03 UK CK 0096

In the Uttarakhand High Court

Case No : Criminal Miscellaneous Application (C-482) No. 663 of 2010

Noor Aalam and Others

APPELLANT

Vs

State of Uttarakhand and Yusuf

RESPONDENT

Date of Decision : 03-03-2011

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 482
Penal Code, 1860 (IPC) — Section 420, 467, 468, 471, 504

Citation : (2011) 03 UK CK 0096

Hon'ble Judges : Prafulla C. Pant, J

Bench : Single Bench

Final Decision : Allowed

Judgement

Prafulla C. Pant, J.—Complainant Yusuf is present in person before this Court, identified by his counsel.

2. Heard learned Counsel for the parties.

3. By means of this petition, moved u/s 482 of Code of Criminal Procedure, 1973 (for short Code of Criminal Procedure), the Petitioners have sought quashing of the proceedings of Criminal Case No. 187 of 2010, State v. Noor Alam and others, relating to offences punishable u/s 420, 467, 468, 471, 504, 506 of I.P.C., pending in the court of Civil Judge (Junior Division) / Judicial Magistrate, Laksar, Haridwar.

4. Learned Counsel for the parties state that parties to the litigation have already entered into compromise. A Compounding Application No. 190 of 2011, has been moved jointly on behalf of the Petitioners and Respondent No. 2 (complainant), supported by affidavit. The complainant Yusuf, identified by his counsel, verified the fact and stated that he does not want to prosecute the Petitioners.

5. In view of principle of law laid down in Nikhil Merchant Vs. Central Bureau of Investigation and Another, , and the fact that the parties have entered into compromise in a property related dispute, the petition u/s 482 of Code of

Criminal Procedure , deserves to be allowed.

6. Accordingly, the petition u/s 482 of Code of Criminal Procedure is allowed. The proceedings of Criminal Case No. 187 of 2010, State v. Noor Alam and others, relating to offences punishable u/s 420, 467, 468, 471, 504, 506 of I.P.C., police station Kotwali Laksar, pending in the court of Civil Judge (Junior Division) / Judicial Magistrate, Laksar, District Haridwar, are hereby quashed.

(Compounding Application No. 190 of 2011 stands disposed of).