
(2021) 12 UK CK 0289

In the Uttarakhand High Court

Case No : Criminal Miscellaneous Application No. 1953 Of 2021

Pintu Sharma And Others

APPELLANT

Vs

State Of Uttarakhand And Another

RESPONDENT

Date of Decision : 29-12-2021

Acts Referred:

Indian Penal Code, 1860 — Section 323, 498A, 504, 506
Dowry Prohibition Act, 1961 — Section 3, 4

Citation : (2021) 12 UK CK 0289

Hon'ble Judges : Ravindra Maithani, J

Bench : Single Bench

Advocate : S.K. Mandal, Lalit Miglani, Mamta Joshi, B.S. Bhandari

Final Decision : Allowed

Judgement

Ravindra Maithani, J

1. By means of the instant petition, the petitioners seeks quashing of entire proceedings of Criminal Case No. 8983 of 2018, State v. Pintu Sharma and others, under Section 498-A, 323, 504, 506 IPC and Section 3/4 of the Dowry Prohibition Act, 1961, pending in the court of Judicial Magistrate, IInd, Rudrapur, District Udham Singh Nagar (â??the caseâ??), on the basis of amicable settlement between the parties.
2. Heard learned counsel for the parties and perused the record.
3. A joint compounding application has been filed supported with the affidavits of the petitioner no. 2 Smt. Krishna Sharma and the informant (â??the respondent no. 2â??).
4. The petitioner no. 1 is not present in the Court. It is submitted that he is in custody in the same case, pursuant to bailable warrant issued against him.

5. Learned counsel for the parties would submit that parties have amicably settled the dispute. It is a matrimonial discord. They have decided to stay separate.

6. The petitioner nos. 2 & 3 and the respondent no. 2 are personally present before the Court, duly identified by their respective counsel. They have verified the contents of the compounding application and have stated that they have settled the dispute amicably.

7. The Court particularly asked the informant. She would submit that she has settled the dispute amicably and now she does not want to prosecute the case.

8. Having considered, this Court is of the view that it is a case which may be decided on the basis of amicable settlement between the parties.

Accordingly, the petition deserves to be allowed.

9. Accordingly, the instant petition is allowed. The proceedings of the case pending before the court below are quashed. The petitioner no. 1 Pintu

Sharma is in custody in this case. He be released forthwith, if not wanted in any other case.

10. Compounding application stands disposed of accordingly.