
(2019) 12 UK CK 0017

In the Uttarakhand High Court

Case No : Criminal Miscellaneous Application (C-482) No. 2712 Of 2019,
Compounding Application (CRMA No. 3902 Of 2019)

Rahul Kushwaha

APPELLANT

Vs

State Of Uttarakhand & Another

RESPONDENT

Date of Decision : 05-12-2019

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 420

Citation : (2019) 12 UK CK 0017

Hon'ble Judges : N.S. Dhanik, J

Bench : Single Bench

Advocate : Nandan Arya, Farida Siddiqui, Mahavir Kohli

Final Decision : Disposed Of

Judgement

N.S. Dhanik, J

1. By way of present application, moved under Section 482 of Cr.P.C. the applicant seeks to quash the summoning order dated 09.05.2019, order dated 21.11.2019 by which the Court below passed N.B.W. as well as entire proceedings of Criminal Case No.203 of 2019, "State Vs. Rahul Kushwaha" under Section 420 IPC, pending before learned Judicial Magistrate 1st Class, Narendra Nagar, Tehri Garhwal in terms of compromise arrived between the parties.

2. The parties have filed a Compounding Application no.3902 of 2019 to show that the parties have buried their differences and have settled their disputes amicably.

3. Learned counsel for the State submitted that she has no objection, if the present compounding application is allowed, as the offence punishable under Section 420 IPC is a compoundable offence.

4. Parties are present before this Court and duly identified by their respective counsel.

5. Considering the fact that offence punishable under Sections 420 IPC is a compoundable offence and respondent no.2 has filed an affidavit stating that the matter has been settled amicably between the parties, it would be just and appropriate to allow the present compounding application in the interest of justice.

6. Accordingly, the compounding application is allowed. The entire proceedings of Criminal Case No.203 of 2019, "State Vs. Rahul Kushwaha" under Section 420 IPC, pending before learned Judicial Magistrate 1st Class, Narendra Nagar, Tehri Garhwal along with the summoning order dated 09.05.2019 and order dated 21.11.2019 by which the Court below passed N.B.W. is hereby quashed, qua the present applicant only, on the basis of compromise arrived between the parties.

7. Present C482 application stands disposed of, as above.

8. Pending applications, if any, also stand disposed of accordingly.