
(2022) 06 UK CK 0051

In the Uttarakhand High Court

Case No : Criminal Miscellaneous Application No. 1149 Of 2021

Sachin Kumar And Three Others

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 17-06-2022

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 323, 498A, 504, 506
Dowry Prohibition Act, 1961 — Section 3, 4

Citation : (2022) 06 UK CK 0051

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Bharat Singh, Pratiroop Pandey, Rajnish Chauhan

Final Decision : Disposed Of

Judgement

Alok Kumar Verma, J

1. This is an application, filed under Section 482 of the Code of Criminal Procedure, 1973, to quash the entire proceedings of Criminal Case No. 10337 of 2018, "State vs. Sachin and Others", pending before the court of Chief Judicial Magistrate, Haridwar.

2. After completion of the investigation, charge-sheet was filed. The learned trial court took the cognizance and passed the summoning order for the offence under Sections 323, 504, 506, 498A of IPC and Section 3/4 of the Dowry Prohibition Act, 1961 against the present applicants.

3. Heard Mr. Bharat Singh, learned counsel for the applicants, Mr. Pratiroop Pandey, learned AGA for the State and Mr. Rajnish Chauhan, learned counsel holding brief of Ms. Manshi Singh, learned counsel for the respondent nos.2 and 3/informant/victim.

4. All the applicants are present in-person before this Court and they are identified by Mr. Bharat Singh, Advocate.

5. The respondent no.3 – Shalu, victim, is present in-person and she is identified by Mr. Rajnish Chauhan, Advocate.
6. The respondent no.2 – Sitaram Azad, the informant, is not present. The learned counsel for the respondent no.2 submitted that the respondent no.2 has filed his affidavit along with the Compounding Application (IA No.01 of 2021). The said affidavit is on record (page nos.60 to 64).
7. The respondent no.3 and all the applicants submitted that there were matrimonial disputes between the parties and the said disputes have been resolved by them. They further submitted that they have filed a joint compounding application with their free will and without any pressure. The respondent no.3 submitted that she does not want to proceed with the said criminal case against the applicants.
8. The learned counsel for the State submitted that there were private and matrimonial disputes between the parties and they have resolved the said disputes, therefore, the State has no objection.
9. Keeping in view of the totality of the facts and circumstances of the case, this Court is of the view that ends of justice would be met, if the entire proceedings of Criminal Case No. 10337 of 2018, "State vs. Sachin and Others", pending before the court of Chief Judicial Magistrate, Haridwar, are quashed.
10. Resultantly, the entire proceedings of Criminal Case No. 10337 of 2018, "State vs. Sachin and Others", pending before the court of Chief Judicial Magistrate, Haridwar, are quashed.
11. The Criminal Miscellaneous Application No.1149 of 2021, filed under Section 482 of the Code of Criminal Procedure, is disposed of accordingly.