

(2021) 11 UK CK 0099

In the Uttarakhand High Court

Case No : Criminal Writ Petition No. 2093 Of 2021

Sharad Tamta

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 22-11-2021

Acts Referred:

Indian Penal Code, 1860 — Section 323, 498A, 504, 506
Hindu Marriage Act, 1955 — Section 13B
Constitution Of India, 1950 — Article 226

Citation : (2021) 11 UK CK 0099

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Divya Jain, Gyan Mati, V.S. Rathore, Sachin Panwar, Shailendra Nauriyal

Final Decision : Disposed Of

Judgement

Alok Kumar Verma, J

1. This criminal writ petition has been filed under Article 226 of the Constitution of India to issue a writ of certiorari to quash the impugned First Information Report No.0545 of 2021, registered with Police Station Raipur, District Dehradun for the offence under Sections 323, 504, 506, 498-A of IPC.

2. Heard learned counsel for the parties.

3. The impugned first information report has been lodged by the respondent no.3-Mrs. Pinki Tamta, W/o, Shri Sharad Tamta, the present petitioner.

4. The petitioner Shri Sharad Tamta and the respondent no.3-Mrs. Pinki Tamta are present in person before the Court. They are identified by their learned counsels respectively.

5. The learned counsel for the respondent no.3 submitted that the petitioner and the respondent no.3 have filed a petition under Section 13B of the Hindu

Marriage Act, 1955 and that petition is pending before the Principal Judge, Family Court Dehradun.

6. Both the parties submitted that they have sorted out their disputes amicably and now they are living separately. They further submitted that they have jointly filed the Compounding Application No.2 of 2021 with their affidavits. According to the petitioner and the respondent no.3, they have filed the said compounding application with their free will and without any pressure.

7. The learned counsel for the State has no objection on the submissions of the petitioner and the respondent no.3.

8. 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 impugned F.I.R. is quashed.

9. Resultantly, the impugned FIR No.0545 of 2021, registered with Police Station Raipur, District Dehradun for the offence under Sections 323, 504, 506, 498-A of IPC, is quashed.

10. The writ petition is disposed of, accordingly.