

(2011) 09 UK CK 0169

In the Uttarakhand High Court

Case No : Criminal Miscellaneous Application No. 615 of 2011

Umed Singh Bhandari, Pratab Singh Bhandari and Smt.
Munni Devi @ Mohani Devi

APPELLANT

Vs

State of Uttarakhand and Smt. Deepa Bhandari

RESPONDENT

Date of Decision : 14-09-2011

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 482
Dowry Prohibition Act, 1961 — Section 3, 4
Penal Code, 1860 (IPC) — Section 498(A), 506

Citation : (2011) 09 UK CK 0169

Hon'ble Judges : Prafulla C. Pant, J

Bench : Single Bench

Judgement

Prafulla C. Pant, J.—Heard.

2. 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. 25 of 2011, State v. Umed Singh Bhandari and Ors., relating to offences punishable u/s 498A, 506 Indian Penal Code, and one punishable u/s 3/4 Dowry Prohibition Act, 1961, pending in the court of Judicial Magistrate, Dwarahat, District Almora.

3. Learned Counsel for the Petitioners and learned Counsel for the Respondent No. 2 state that parties to matrimony (Respondent No. 2 Deepa Bhandari and Petitioner No. 1 Umed Singh Bhandari) have entered into compromise, and they have decided to live together. It is pleaded that in view of the compromise between the parties to matrimony, the impugned proceedings against the Petitioners be quashed. Petitioner No. 1 is husband, Petitioner No. 2 is brother-in-law and Petitioner No. 3 is sister-in-law of the Respondent No. 2.

4. Shri Umed Singh Bhandari (Petitioner No. 1) and Smt. Deepa Bhandari (Respondent No. 2) are present in person in the court, identified by their counsel. The two verified the fact that they have entered into compromise, and

decided to live peacefully together. A compounding application supported by affidavits of the said parties is filed before this Court today, and prayed that entire proceedings of impugned criminal case be quashed.

5. In view of the above development, and keeping in mind the principle of law laid down in B.S. Joshi and Others Vs. State of Haryana and Another, , this petition u/s 482 Code of Criminal Procedure, deserves to be allowed.

6. Therefore, the petition u/s 482 Code of Criminal Procedure, is allowed. The proceedings of criminal case No. 25 of 2011, State v. Umed Singh Bhandari and Ors., relating to offences punishable u/s 498A, 506 Indian Penal Code, and one punishable u/s 3/4 Dowry Prohibition Act, 1961, pending in the court of Judicial Magistrate, Dwarahat, District Almora, are hereby quashed, as against all the accused. (Compounding application stands disposed of).