

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			C482 No.314 of 2021 With IA/5/2023(Compounding Application) <u>Hon'ble Sharad Kumar Sharma, J.</u> Mr. Milind Raj, learned counsel for the applicant. Mr. Sandeep Sharma, learned Brief Holder for the State. Mr. Lalit Sharma, learned counsel for respondent no.2. The instant C482 Application, puts a challenge to the proceedings of Criminal Case No.558 of 2020, "State Vs. Arpit Vinayak", which emanates from FIR No.3 of 2020, being the FIR, which stood registered on 07.03.2020 by the complainant/ respondent no.2, herein for the alleged involvement of the named accused persons in commission of offences under Sections 498-A, 323, 504 and 506 of the IPC and Section 3/4 of the Dowry Prohibition Act. As a consequence of the culmination of the investigation, the chargesheet, being Chargesheet No.4/2020 dated 05.09.2020, was submitted by the Investigating Officer, which had, ultimately, resulted into registration of the aforesaid Criminal Case

		No.558 of 2020, “State Vs. Arpit Vinayak”. Today, the matter is listed on a compounding application, as it has been jointly preferred by the parties under their joint signatures as well as under the signatures of their respective counsels, contending herein that the parties have amicably settled their dispute and they want the controversy to be laid to rest. As far as the nature of controversy is concerned, the Government Advocate may not be having any objection, as such, for the reason being, that it is purely a matrimonial dispute, which subsists between the applicant and the complainant/ respondent no.2 and, owing to the statement, which has been recorded by respondent no.2, who had interacted with this Court through video-conferencing. She has made a statement that, as per the terms of the compounding application, the parties have settled to dissolve their marriage by initiation of proceedings under Section 13B of the Hindu Marriage Act. As a consequence thereto, the proceeding by way of HMA Case No.112 of 2023, has already been instituted on 16.08.2023. Even the total alimony, as it has been
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		settled between the parties, which has been determined to be made payable of an amount of ₹10 lakh, apart from the other settlements pertaining to the determination of the loan amount, as it has been referred to in the compounding application and the return of the <i>streedhan</i>, as it has been referred to in paragraph no.3. of the compounding application has already been given. Since, now, the parties have settled the scores, based on the conditions, given in the compounding application, which have been duly fortified by the parties, who are participating in the proceedings and the factum of having received ₹5 lakh being a partial payment of the permanent alimony as it has been determined, the C482 Application would stand dropped in terms of the compounding application. As a consequence thereto, and, particularly, in view of the statement recorded by the complainant that she may not be having any serious objection, as such, if the proceedings of Criminal Case No.558 of 2020, “State Vs. Arpit Vinayak” is laid to rest, owing to the terms of settlement. Accordingly, the C482 Application would stand closed and the proceedings of the
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			aforesaid Criminal Case No.558 of 2020, “State Vs. Arpit Vinayak” pending considering before the Court of Chief Judicial Magistrate, Almora would hereby stand quashed.
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(Sharad Kumar Sharma, J.)

20.09.2023

Sukhbant