

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			IA No. 848 of 2020 In C482 No. 439 of 2020 <u>Hon'ble Sharad Kumar Sharma, J.</u> Mr. Mohd. Allauddin, Advocate, for the applicant. Mr. S.C. Dumka, A.G.A., for the State of Uttarakhand. Mr. Mohd. Umar, Advocate, for the private respondents. This C-482 Application relates to some of non compoundable offences, which stood registered as Case Crime No. 41 of 2019, for the offences under Sections 376 (2) (n), 506, and 323 of the IPC and Section 5 (L), (J) (ii)/6 of the POCSO Act. The aforesaid FIR, being FIR No. 41 of 2019 dated 19th January, 2019, was registered by the complainant/respondent No.2, herein, as against the present applicant for his involvement in the alleged offences, as it has been complained of therein in the FIR. Ultimately, the matter was investigated, and a chargesheet has been submitted, and as a result thereto, it has resulted into the initiation of the Sessions Trial No. 181 of 2019, State Vs. Manavvar. The C-482 Application has been preferred by the complainant/accused person, praying for quashing of the proceedings of Special Sessions Trial No. 181 of 2019, pending consideration before the Court of Addl. Sessions Judge, / POCSO, Haridwar, District Haridwar. The C-482 Application is supported with the Compounding Application, wherein, the parties to the C-482 Application who are the joint signatories to the settlement arrived at between them, and their signatures have been verified by the respective counsels, who too are the signatories to the Compounding Application, identifying the parties to the C-482 Application, who are participating in

			the proceedings through video conferencing. This Court has interacted with the victim/respondent No.3, who has made a statement, that owing to the fact, that later on a Nikah has taken place between the applicant and respondent No.3 on 10th April, 2019, and a certificate to the said effect has been annexed as annexure-6 to the C-482 Application, she has stated that as a result of the marriage, she has got three children, and that she is living peacefully with her in-laws, she does not intend to prosecute the present applicant any further. The aforesaid contention of the respondent No.3 stands fortified by the statement made by the complainant/respondent No.2, who too has participated in the proceedings through video conferencing. As far as Government Advocate is concerned, he was called upon to answer the Compounding Application, and he submits that owing to the now inevitable fact, that the applicant and respondent No.3 had married, and the factum of marriage is accepted by the complainant / respondent No. 2, besides that, since they are having three children, no fruitful purposes would be served to continue with the proceedings. Owing to the aforesaid fact, as stated by the Government Advocate, coupled with the grounds taken in the Compounding Application, the C-482 Application would stand dropped and, as a consequence thereto, the proceedings of Special Sessions Trial No. 41 of 2019, State Vs. Manavvar, pending consideration before the Court of Addl. Sessions Judge, / POCSO, Haridwar, District Haridwar, would stand quashed in terms of the Compounding Application. (Sharad Kumar Sharma, J.) Dated 20.09.2023 Shiv
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