

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.1717 of 2023 With IA/1/2023 (Compounding Application) <u>Hon'ble Sharad Kumar Sharma, J.</u> Mr. Sumit Bajaj, learned counsel for the applicants. Mr. V.K. Gemini, learned Deputy Advocate General for the State. Mr. J.S. Khati, learned counsel for the private respondent. This C482 Application arises out of the matrimonial dispute, which emanated from the registration of Criminal Case No.4456 of 2021, "State Vs. Nitin Gupta and Another" whereby the present applicants have been summoned to be tried for the offences under Section 323, 504, 498A of the IPC and Section 3/4 of the Dowry Prohibition Act, on which, the present applicants have been chargesheeted on 18.05.2021 and, consequently, a summoning order dated 10.09.2021 has been issued against them. Hence, this C482 Application has been preferred. The C482 Application is accompanied with the compounding application which has been duly signed by all the parties as well as by their respective counsels. But, in the affidavit filed in support thereto, a very vague pleading has been raised with regards to the grounds, on which, the

		offences have been sought to be compounded. Hence, this Court was hesitant to compound the offences because of the vagueness of grounds of settlement. The parties are present in person and they have been recognized by their respective counsels. This Court had interacted with the complainant /respondent no.2, who made a statement, that owing to the fact that, out of the matrimony, she has got a girl child, due to which, now both are living together and are discharging their matrimonial obligations. The husband too, has made a similar statement that he does not want to continue with the controversy as their matrimonial dispute has been resolved, therefore, no purpose would be served to continue with the instant proceedings of Criminal Case No.4456 of 2021, “State Vs. Nitin Gupta and Another”. Exclusively, based on the statement made by the applicant no.1 and the complainant/respondent no.2, since they are now living together and they are discharging their matrimonial obligations, this C482 Application would stand closed. As a result thereto, the proceedings of the Criminal Case No.4456 of 2021, “State Vs. Nitin Gupta and Another”, pending consideration before the Court of Additional Chief Judicial Magistrate, Haldwani, District Nainital, would hereby stand quashed.
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			But, however, it is made clear that since this C482 Application has been exclusively decided, on the basis of the oral statement made by the parties before this Court, closing of this C482 Application will not amount to be a deprivation on the part of respondent no.2, to re-agitate the issue, in case, if the applicant resiles from the statement made before this Court.
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			It is hoped and trusted, and, as stated by the applicant no.1, that he will be taking all care of the complainant as well as the child in future and will continuance to discharge his matrimonial obligations.
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			Subject to the aforesaid, the C482 Application stands closed.
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			(Sharad Kumar Sharma, J.) 24.08.2023
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