

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.1898 of 2023 <u>Hon'ble Sharad Kumar Sharma, J.</u> Mr. Sagar Kothari, Advocate, for the applicants. Mr. S.C. Dumka, AGA, for the State of Uttarakhand/1. Mr. Shailendra Nauriyal, Advocate, for the respondent no.2. The parties are under litigation on the basis of the complaint, which was registered by the respondent no.2, by way of an FIR No.67, dated 02.02.2022, by naming the accused persons, who are the applicants, herein, for their involvement in commission of the offences under sections 498A, 323, 504 and 506 of IPC and under section 3/4 of the Dowry Prohibition Act. Upon culmination of the investigation, a Chargesheet No.01, dated 16.08.2022, was submitted by the Investigating Officer before the learned Magistrate observing thereof that the offences complained of in the FIR stand established. Consequent to which, the court of ACJM, Dehradun, had registered the Criminal Case No.7248 of 2022, "State Vs. Deepak Mavi and others", whereby the applicants have been summoned to face the trial by an order dated 18.10.2022. The same has been put to challenge by the applicants before this Court along with the entire proceedings of the Criminal Case No.7248 of 2022, "State Vs. Deepak Mavi and others". The parties to the proceedings have filed the compounding application, which has been duly signed by all the parties. The complainant/respondent no.2, is present in person before this Court. This Court has interacted with her, and she has made a statement that owing to the atrocities, which she has referred to in the FIR, it will not be possible for her to revive back the matrimonial relationship, and as such she has contended that since the parties have agreed to

			dissolve the marriage, and the proceedings have already drawn by them under section 13B of the Hindu Marriage Act being Case No.850 of 2023, “Shri Deepak Mavi Vs. Smt. Ameeta”, as instituted before the court of Principal Judge, Family Court, Dehradun, she admits the fact that after initiation of the said proceedings, the total alimony amount of Rupees Fifty Lakh, as settled between them has already been deposited by the applicant no.1, before the learned Judge Family Court, and the same would be remitted to her as soon as the second motion is carried by the learned Family Court. Since in accordance with the terms of the compounding application, coupled with the statement recorded by the parties, who are participated in the proceedings through video conferencing, who have been duly identified by their respective counsels, since it is purely a matrimonial dispute, and the parties have already ventured into the proceedings under section 13B of the Act, it would be absolutely a fruitless exercise to proceed with the criminal case simultaneously, which the complainant/respondent no.2, who is present in person, is agreeable, that in case if those proceedings are dropped, she may not be having any grievances, as such. Owing to the aforesaid statement, and the statements as recorded by the applicants, who have participated in the proceedings through video conferencing, and keeping in mind that there happens to be a pending proceedings under section 13B of the Act. The proceedings of the C482 application would hereby stand dropped, and as a consequence thereto, the proceedings of the Criminal Case No.7248 of 2022, “State Vs. Deepak Mavi and others”, pending consideration before the court of ACJM, Dehradun, would too hereby stand quashed in terms of the compounding application. (Sharad Kumar Sharma, J.) 25.09.2023 NR
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