

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			C-482 No. 1902 of 2023 With C482 No. 1904 of 2023 <u>Hon'ble Sharad Kumar Sharma, J.</u> Mr. Harshit Sanwal, Advocate, for the applicants. Mr. V.K. Gemini, Deputy A.G., for the State of Uttarakhand. Mr. Mukul Dangi, Advocate, for respondent No.2. <u>C-482 No. 1902 of 2023</u> The parties are present in person. The applicants have challenged the proceedings of Criminal Case No. 849 of 2021, State Vs. Bhuwan Chandra Pandey and others, being the proceedings which were drawn under Section 498-A of the IPC and Section 34 of the Dowry Prohibition Act, which stood instituted as a consequence of the FIR registered by the complainant / respondent No.2, being FIR No. 167 of 2020, on which, the Court of Addl. Chief Judicial Magistrate, Haldwani, District Nainital, has taken cognizance and summoning order dated 20th January, 2021, has been issued. The parties are present in person, and particularly, this Court had interacted with the applicant No.1 and respondent No.2, who are husband and wife, and had attempted to make them understand to resile the matter and revive back the matrimonial relationship. But owing to the fact, that there happens to be an extensive misunderstanding between them, and particularly, in view of the statement made by respondent No.2, that she does not intend to revive back the matrimonial relationship any more, she has further submitted that as of now, since the parties have already ventured into getting their marriage dissolved by instituting the proceedings under Section 13-B of the Hindu Marriage Act, and further in pursuance of which, a total alimony,

			which has been settled to be paid, has been determined as to be Rs.5 lacs, out of which 2.5 lacs has already been paid to the respondent No.2 and the balance amount is to be paid at the stage when the second motion is carried. Since now, the parties have unanimously settled their dispute, that they intend to dissolve their matrimony as solemnized on 13th December, 2017, coupled with the fact, that since the parties don't intend to enter into any settlement, and particularly owing to the statement made by the complainant, that because of the fact, that they are already under litigation in the proceedings under Section 13-B of the Hindu Marriage Act, she does not intend to prosecute the present applicants for the offences under Section 498-A of the IPC and Section 34 of the D.P. Act, as it stands instituted before the Court of Addl. Chief Judicial Magistrate, Haldwani, District Nainital. Owing to the aforesaid, and particularly owing to the contents of the Compounding Application and the statement recorded by the parties to the proceedings, and keeping in mind as stated by the parties, that they are living separately since last six years, no fruitful purpose would be solved to keep the criminal case pending. Hence, owing to the consent extended by respondent No.2, the proceedings of Criminal Case No. 849 of 2021, State Vs. Bhuwan Chandra Pandey and others, pending before the Court of Addl. Chief Judicial Magistrate, Haldwani, District Nainital, would hereby stand quashed. Accordingly, the C-482 Application would too stand dropped. <u>C-482 No. 1904 of 2023</u> This C-482 Application arises out of the similar set of offences, as it has been instituted on the basis of Criminal Complaint Case No. 1066 of 2019, Neha Pathak Vs. Bhuwan Pandey. In this case too, the complainant has supported the proceedings under Section 13-B of the Hindu Marriage Act, and seeks quashing of the proceedings of Criminal Complaint Case No. 1066 of 2019, pending consideration before the Court of Addl. Chief Judicial Magistrate, Nainital.
--	--	--	---

			The C-482 Application would stand closed. Accordingly, the criminal proceedings of Criminal Complaint Case No. 1066 of 2019, Neha Pathak Vs. Bhuwan Pandey, would hereby stand quashed. The Compounding Application stands disposed of accordingly. (Sharad Kumar Sharma, J.) Dated 22.09.2023 Shiv
--	--	--	---