

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<u>C 482 No. 2123 of 2023</u> <u>Hon'ble Rakesh Thapliyal, J.</u> 1. Mr. Sagar Kothari, learned counsel for the applicant. 2. Mr. V.K. Jemini, learned Assistant Government Advocate with Mr. Sandeep Sharma, learned Brief Holder for the State. 3. Mr. B. S. Kathayat, learned counsel for the respondent no. 2. 4. The instant application is preferred under Section 482 Cr.P.C. supported with compounding application which is supported with the affidavit of present applicant and victim – respondent no. 2 5. Applicant and victim respondent no. 2 (through V.C.) are present in the Court and they are duly identified by their respective counsel. 6. Applicant is facing trial in Criminal Case No. 2534 of 2022 (State Vs. Vikrant Phutela) for the offences punishable under Section 354, 506 IPC, Police Station – Pant Nagar, District – Udham Singh Nagar pending in the court of Chief Judicial Magistrate, Udham Singh Nagar. 7. The allegations, as appear from the FIR are serious in nature. This Court interacted with the victim and she submits that she is going abroad for higher studies and even, she has been engaged for marriage with another person and if proceeding of this case continues, it will certainly spoil her career. The victim on interaction further submits that incident alleged to be happened is nothing but misunderstanding between present applicant and victim and that is the reason, she does not want to pursue this case. 8. No doubt after lodging of the FIR, charge-sheet has been filed and the trial is going on against the applicant but this fact cannot be disputed that now, victim has been engaged for marriage with some other person and during a short span of time marriage may take place and further she is going abroad for higher studies. 9. All these aspects reveal that if proceedings are

			permitted to continue, then certainly it will spoil the career of the victim. 10. In relation to compounding of offence punishable under Section 354 IPC, learned counsel for the parties have placed reliance on the judgment of Hon'ble Supreme Court in the case of Ningappa Vs. State of Karnataka (2019) 14 SCC 597 wherein offences were compounded on amicable settlement between the parties on filing of compounding application along with an affidavit of the complainant wherein it was stated that due to misunderstanding and on spur of moment, complaint was lodged and in that case, they came to a settlement and both the parties do not have any grudge against each other. 11. In this case, though no such situation is there but looking into the facts and circumstances of the case that victim is engaged for marriage with some other person and she is now going to abroad for higher studies, no useful purpose would be made in keeping the proceedings pending. 12. Accordingly, compounding application is allowed. Entire proceedings of Criminal Case No. 2534 of 2022 (State Vs. Vikrant Phutela) for the offences punishable under Section 354, 506 IPC, Police Station - Pant Nagar, District - Udham Singh Nagar pending in the court of Chief Judicial Magistrate, Udham Singh Nagar are quashed. 13. Consequently, C482 application is disposed of. (Rakesh Thapliyal, J.) 21.12.2023 SKS
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