

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			C482 No2132 of 2023 With IA/1/2023 (Compounding Application) <u>Hon'ble Sharad Kumar Sharma, J.</u> Mr. Raj Kumar Singh, learned counsel for the applicants. Mr. S.C. Dumka, learned Assistant Government Advocate for the State. Mr. Pramod Kumar, learned counsel for the private respondents. The applicants are the named accused persons in FIR No.651 of 2021 dated 14.06.2021 as it has been registered by the complainant/respondent no.2 for their involvement in the commission of offences under Sections 363, 366A of the IPC and Section 16/17 of the POCSO Act. After the culmination of investigation, the chargesheet has been submitted and, consequent to which, the proceedings of SST No.109 of 2021, "State Vs. Smt. Meena" stood instituted before the Court of Additional District and Sessions Judge, Haridwar. The fact, which has come on record is that in the statement recorded by the victim / respondent no.3, she has contended that, on the date of the incident, which has been referred to in the FIR, she was major. According to her statement, she has voluntarily gone along with applicant no.2 and there was no duress, as such,

		exercised against her which could, at all, be said to make out an offence under Section 363, 366A of the IPC. Apart from the fact, that on account of certain subsequent developments, which have taken place, the situation becomes irreversible, because apart from the stand taken by the victim about her majority supported by the medical report of the C.M.O., who has fortified the fact that the victim was major at the time of marriage. As of now, since applicant no.2 and respondent no.3 had married on 07.08.2023, in accordance with the Muslim law, and that their marriage has been registered too by the Registrar, Compulsory Registration of Marriages, Roorkee-I, Haridwar. As a consequence thereto, their marriage has been registered at serial number 543 at page number 65 to 72 of volume 91 dated 07.08.2023. The said document since being a public document is acceptable by way of an affidavit for establishing the factum of marriage between the applicant no.2 and respondent no.3. It is not even that after the marriage, applicant no.2 and respondent no.3, have been blessed with a girl child and they are living together peacefully and both of them are discharging their matrimonial obligations. This Court has interacted with the complainant as well as the victim/ respondent
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		no.3, who has participated in the proceedings through video-conferencing and categorical statement has been made by the complainant and the victim in the presence of their counsel that the victim/ respondent no.3 has voluntarily married applicant no.2, who too participated in the proceedings through video-conferencing. Since they are now married and they are having a girl child, no fruitful purpose would be served to continue with the proceedings of SST No.109 of 2021, “State Vs. Smt. Meena” pending consideration before the Court of learned Additional District and Sessions Judge/Special Judge POCSO Act, District Haridwar. In view of the aforesaid subsequent developments, continuation of the criminal proceedings would be nothing but an act of futility. Accordingly, the C482 Application would stand disposed of. As a consequence thereto, the proceedings of SST No.109 of 2021, “State Vs. Smt. Meena” pending consideration before the Court of learned Additional District and Sessions Judge/Special Judge POCSO Act, District Haridwar, would hereby stand quashed. (Sharad Kumar Sharma, J.) 01.11.2023 Sukhbant
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