

23.12.2021
Item No.11
suman
Ct.42

(Via Video Conference)

CRA 206 of 2016
With
CRAN 2 of 2016 (Old CRAN 2396 of 2016)

Chandan Singh
Vs.
Pinki Singh & Anr.

Mr. Anand Keshari
...for the State

Neither the appellant nor the respondent No.1 takes any step for hearing of the instant appeal.

Mr. Anand Keshari, learned advocate for the State is present.

It appears from the record that the appellant was convicted under Section 498A of the Indian Penal Code and sentenced to suffer rigorous imprisonment for two years with fine and default clause for the offence punishable under Section 498A of the Indian Penal Code.

During pendency of the instant appeal the respondent No.1 entered appearance by filing Vokatnama. Subsequently, on 22nd June, 2016 a joint petition for compromise is filed being CRAN 2 of 2016 (Old CRAN No.2396 of 2016).

In the said petition it is stated by the appellant and the respondent No.1 that the matrimonial dispute between

them has been amicably settled and they are now living together as husband and wife peacefully.

In view of such circumstances, the appellant does not want to proceed with the instant appeal.

I have perused the petition. The learned advocate for the State submits that when the parties have filed the instant petition, the offence may be compounded.

Though an offence under Section 498A of the Indian Penal Code is not compoundable under Section 320 of the Code of Criminal Procedure but considering the nature of the offence and in order to allow the parties to maintain a peaceful family life, a case under Section 498A of the Indian Penal Code can be compromised.

In view of such circumstances, the instant appeal is disposed of recording compromise between the appellant and the respondent No.1.

CRAN 2 of 2016 is, accordingly, disposed of.

Lower Court record be returned to the learned Court below along with a copy of this order.

(Bibek Chaudhuri, J.)

