

HIGH COURT OF UTTARAKHAND AT NAINITAL

Criminal Misc. Application No. 441 of 2024

Ashwani Pandey and others Applicants

Vs.

State of Uttarakhand and another Respondents

Present : Mr. Rajveer Singh, Advocate for the petitioners through video conferencing.
Mr. M.A. Khan, AGA for the State.
Ms. Ravinder Kumar Verma, Advocate for the respondent no. 2 through video conferencing.

JUDGMENT

Hon'ble Ravindra Maithani, J. (Oral)

Instant petition under Section 528 of the Bhartiya Nagrik Suraksha Sanhita, 2023 has been filed for quashing cognizance/summoning order dated 05.06.2024 passed in Criminal Case No. 562 of 2024, State of Uttarakhand v. Ashwani and others, under Sections 323, 504, 498-A IPC and Section 3/4 of the Dowry Prohibition Act, 1961, by the court of 1st Judicial Magistrate, Haridwar ("the case) as well as the entire proceedings of the case, on the basis of amicable settlement between the parties.

2. Heard learned counsel for the parties and perused the record.

3. A joint compounding application has been filed by the petitioners as well as the informant ("respondent no. 2") supported by the affidavits.

4. Learned counsel for the parties would submit that the parties have amicably settled the dispute.

5. The case is based on an FIR lodged by the respondent no. 2 against the petitioners. According to it, the respondent no. 2

and the petitioner no. 1 were married on 05.03.2016, but after the marriage, the respondent no. 2 was harassed and tortured by the petitioners for and in connection with demand of dowry. After investigation, the charge sheet was filed against the petitioners, which is the basis of the case.

6. The petitioners as well as the respondent no. 2 joined the proceedings through video conferencing, duly identified by their respective counsel. They have verified the contents of the compounding application and stated that they have settled the dispute amicably.

7. The Court particularly asked the respondent no. 2. She would submit that they have settled the dispute amicably; they have decided to stay separate and now she does not want to proceed with the matter.

8. Having considered, this Court is of the view that it is a case which may be decided on the basis of amicable settlement between the parties. Accordingly, the petition deserves to be allowed.

9. The petition is allowed. The cognizance/summoning order dated 05.06.2024 as well as the entire proceedings of the case is hereby quashed.

10. Compounding application (IA No. 1 of 2024) stands disposed of accordingly.

(Ravindra Maithani, J.)
23.09.2024

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