**HIGH COURT OF UTTARAKHAND AT NAINITAL**

**Criminal Misc. Application No.1043 of 2024**

Sanjay Yadav .....Petitioners

Vs.

State of Uttarakhand and another. ..... Respondents

Present : Mr. D.N. Sharma, Advocate for the petitioner.
Mr. Pankaj Joshi, A.G.A. for the State.
Ms. Manju Bahuguna, Advocate for the respondent no.2.

**JUDGMENT**

**Hon'ble Ravindra Maithani, J. (Oral)**

Instant petition under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 has been preferred by the petitioners to quash the charge sheet dated 29.12.2023, Cognizance and summoning order dated 03.07.2024, passed in Criminal Case No. 295 of 2024, State Vs. Sanjay Yadav, under Sections 323, 498-A, 504 IPC and Section 3/4 of the Dowry Prohibition Act, 1961 by the court of Judicial Magistrate, Sitarganj, District Udham Singh Nagar ('the case"), as well as the entire proceedings of the case on the basis of amicable settlement between the parties. A Compounding Application No. 1 of 2024 has been filed alongwith the affidavit of the parties.

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

3. Learned counsel for the parties would submit that they have settled the dispute amicably and they have decided to stay separate.

4. The petitioner and the respondent no.2 are present in person before this Court as identified by their respective counsel. They have verified the compromise.

5. The Court particularly asked the informant. She would submit that she has settled the dispute amicably with the petitioner and she has decided to stay separate; now, she does not want to proceed with the case.

6. Having considered all the attending factors, 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.

7. Accordingly, the instant petition is allowed. Charge sheet dated 29.12.2023, cognizance order dated 03.07.2024, summoning order dated 07.12.2024 as well as the entire proceedings of the case are hereby quashed.

8. Compounding Application No. 1 of 2024 stands disposed of accordingly.

(Ravindra Maithani, J.)
27.12.2024

Jitendra