

**IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
Criminal Misc. Application No. 256 of 2005**

1 Madan Singh s/o Shri Surti Singh
2 Smt. Darashan Kaur w/o Shri Madan Singh
3 Smt. Mamta w/o Shri Dalbagh Singh @ Kukku
4 Smt. Nanki D/o Shri Madan Singh
5 Smt. Hardeep Kaur @ Asha Rani
w/o Shri Gurnam Singh
D/o Shri Madan Singh
All resident of H.N. 445, Subhas Nagar
Gali No., 4, Police Station
(Punjab)

applicants

Versus

1 State of Uttaranchal
2 Shri Narayan Singh
S/o Shri Gej Singh/R/o Kanwli Road
Lakshman Chauok,
Uttaranchal.

Opposite parties.

Hon'ble B.C. Kandpal, J.

This petition under Section 482 Cr.P.C. has been filed by the applicants who are facing trial in Complaint case No. 1926 of 2004 Narayan Singh vs Hardeep Kaur and others under Section 323, 504, 506, 452, 34 IPC pending before the court of Judicial Magistrate / 1st Additional Civil Judge (Jr.Div.) Dehradun.

Learned counsel appearing on behalf of both the parties submitted before this court that they have already entered into compromise and have filed compromise deed in the divorce petition.

It was agreed between the parties that the case pending in different courts shall be withdrawn by the respective parties. It was

also agreed between the parties that the present case pending before the court below shall also be withdrawn.

In view of the submissions advanced by the learned counsel for the parties, I do not want to enter into the merit of this case at this stage.

I do not find any justification for quashing the proceedings pending before the court below by way of exercising the inherent powers under Section 482 Cr.P.C. However directions are issued to the court below for taking into account the compromise deed, if any filed by the parties before it, in order to decide the case in terms of compromise deed as well as in accordance with law.

With the aforesaid observations , the petition under Section 482 Cr.P.C. stands disposed of.

(B.C. Kandpal, J.)

30.11.2005

nbj