

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>C482 No. 1340 of 2022 In IA No. 1 of 2022 <u>Hon'ble Sharad Kumar Sharma, J.</u></p> <p>Mrs. Neetu Singh, Advocate, for the applicants.</p> <p>Mr. V.S. Rathore, A.G.A. assisted by Mrs. Lata Negi, Brief Holder, for the State of Uttarakhand.</p> <p>Mr. Vinod Chandra, Advocate, for respondent No.2.</p> <p>An FIR, being FIR No. 37 of 2011 dated 31st May, 2011, was registered as against the five named accused persons for their alleged involvement in the commission of the offences under Sections 420,467, 468 and 471 IPC, which stood registered in pursuance to an order, which was passed by the Magistrate under Sub-section (3) of Section 156 of the Cr.P.C. Consequent to conclusion of the investigation, a chargesheet was submitted, being Chargesheet No. 166 of 2011 dated 7th July, 2011, which had resulted into registration of Criminal Case No. 2396 of 2011, State Vs. Jasram @ Jasraj and others. Consequent to the aforesaid registration of the case, the summoning order was issued on 26th September, 2011, and the proceedings are presently pending consideration before the Court of Addl. Chief Judicial Magistrate 2nd, Additional Civil Judge (S.D.), District Haridwar, which has been assigned a new Criminal Case No.838 of 2019.</p>

			<p>Out of the five named accused person in the FIR, one had met with the sad demise, and as a consequence thereto, the present proceedings of Case No. 2396 of 2011, is being carried as against the present applicants to the C482 Application, where chargesheet and summoning order had been put to challenge.</p> <p>The C482 Application is accompanied with the Compounding Application No. 1 of 2022, duly signed by the parties to the proceedings, including the complainant Sudesh Devi.</p> <p>The parties are present in person, duly identified by their respective counsel, including the fact that the Compounding Application has been duly signed by the parties and, particularly, in view of the statement made by the complainant Sudesh Devi, that she does not want to prosecute the present applicants any further in pursuance to the registration of Criminal Case No. 2396 of 2011, in which, they have to be tried for the offences under Section 420, 467, 468 and 471 IPC. Hence, it has been pleaded that the matter may be compounded.</p> <p>The Compounding Application is being opposed by the learned A.G.A., on the ground that some of the offences, i.e. offence under Sections 467, 468 and 471 IPC are not compoundable under Section 320 of the Cr.P.C.</p> <p>But, in view of the provisions contained under Sub-section (2) of Section 320 of the Cr.P.C., the aforesaid offences, could be compounded with the leave of the Court. The said leave is granted.</p>
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