

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	<u>31.01.2024</u>		<p>C482 No. 145 of 2024  <b><u>Hon'ble Rakesh Thapliyal, J.</u></b></p> <p>1. Mr. Manoj Bhatt, learned counsel for the applicant; Mr. M.A. Khan, learned AGA for the State and Mr. Sachin, learned counsel for respondent No. 2.</p> <p>2. The instant Application has been preferred under Section 482 CrPC, along with the Compounding Application (IA/1/2024), which is supported with the affidavits of the applicant and respondent No. 2.</p> <p>3. The respondent No. 2 is the complainant i.e. the wife of the applicant and they married in the year 2013 and thereafter, due to this wedlock, one daughter was born in 2015.</p> <p>4. Since last one year some differences were arose consequently the respondent No. 2 the complainant left the house of her husband and residing with her parents along with minor daughter.</p> <p>5. It is submitted in the Compounding Application that due to some differences between the applicant and respondent No. 2, the FIR has been lodged by respondent No. 2, in which after the investigation, charge-sheet was</p>

		<p>filed and cognizance was taken.</p> <p>6. In the compounding application it is contended that both the applicant and respondent No. 2 came up with an amicable settlement that they will live together and since for the last three months, they are living with their minor daughter.</p> <p>7. Both the applicant and respondent No. 2 are present physically along with their minor daughter. The applicant and the respondent No. 2 are identified by their respective counsel through their Aadhaar Cards.</p> <p>8. This Court interacted with them and both of them fairly submit that they are now living together for the last three months with their daughter.</p> <p>9. On interaction the respondent No. 2 who is the wife of the applicant submits that she does not want to proceed with the case otherwise it will spoil the family life of the applicant and respondent No. 2.</p> <p>10. Mr. M.A. Khan, learned AGA for the State submits that looking to the nature of allegations levelled in the FIR, the offence punishable under Section 498A and 509(B) IPC are not compoundable but he fairly submits that</p>
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		<p>looking to the nature of allegations and further taking into consideration that both the applicant and respondent No. 2 are living together along with their daughter, these offences can also be compounded.</p> <p>11. After hearing the learned counsel for the parties and looking to the grounds as taken in the compounding application and further on the submissions advanced by the learned AGA for the State, this Court is of the view that the compounding application deserves to be allowed.</p> <p>12. In view of this, the Compounding Application is allowed.</p> <p>13. The proceedings of Criminal Case No. 934 of 2023, State Vs. Sunil Chand, wherein the present applicant is facing trial for the offences under Sections 498-A, 323, 504, 506, 509(B) IPC, pending in the Court of Civil Judge/Judicial Magistrate, Tanakpur, District Champawat, are hereby quashed.</p> <p>14. Accordingly, the C482 Application stands disposed of.</p> <p style="text-align: right;"><b>(Rakesh Thapliyal, J.)</b> <b>Vacation Judge</b> 31.01.2024</p> <p>Mahinder/</p>
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