

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	<u>29.02.2024</u>		<p>C482 No. 211 of 2024</p> <p>With</p> <p>Compounding Application No. IA/1/2024</p> <p><b><u>Hon'ble Rakesh Thapliyal, J.</u></b></p> <p>1. Mr. Vikas Singh Yadav, learned counsel for the applicant, Mr. Deepak Bhardwaj, learned Brief Holder for the State and Mr. Bhupendra Prasad Koranga, learned counsel holding brief of Mr. Ravi Bisht, learned counsel for respondent No. 2.</p> <p>2. The instant C482 Application has been moved for quashing of the proceedings of Criminal Case No. 214 of 2024, arising out of Case Crime No. 301 of 2022, State Vs. Munvar Hussain and others, whereby the present applicants have been implicated for the offences punishable under Sections 147, 323, 504 and 506 of IPC, registered at P.S. Kashipur, District Udhampur, which is pending in the Court of Additional Chief Judicial Magistrate, Kashipur, District Udhampur, which is pending in the Court of Additional Chief Judicial Magistrate, Kashipur, District Udhampur.</p> <p>3. The C482 Application has been preferred along with the Compounding Application, which is supported with the affidavits of the applicants and respondent No. 2. The applicants and respondent No. 2 are present in Court and they are duly identified by their respective counsel through their Aadhaar Cards. This Court has also</p>

interacted each of them.

4. It is contended in the Compounding Application that the complainant and all the applicants are in fact the family members and the brother of the complainant married with the daughter of applicant No. 1-Munvar Hussain. But, due to some differences, both are residing separately. The brother of the respondent complainant is serving in Saudi Arabia.

5. In the compounding application, it is agreed that the brother of the respondent complainant settled the dispute with his wife i.e. the daughter of applicant No. 1 and towards permanent alimony, it is agreed that he will pay Rs. 6.00 lakh to his wife the daughter of applicant No.

1. It is informed to this Court that out of total amount of Rs. 6.00 lakh, Rs. 2.00 lakh has already been paid and the remaining amount will be paid by tomorrow.

6. It is also contended in the compounding application that due to some differences in between the daughter of applicant No. 1 with the brother of respondent No.2 complainant, this FIR has been lodged. Now, they have settled their disputes. The complainant-Arshad is present in Court and this Court has also interacted with him and he submitted that only because of the dispute

in between the daughter of applicant No. 1 with the brother of respondent No. 2, this FIR has been lodged and since both of them settled their disputes, he doesn't want to pursue the aforesaid proceedings.

7. Mr. Deepak Bhardwaj, learned Brief Holder for the State fairly submits that pursuant to the FIR, the charge-sheet has been filed after collecting the credible evidence, however, he fairly submits that all the applicants and respondent No. 2 the complainant are family members, and in fact, the main cause of institution of this FIR is nothing but a dispute in between the daughter of the applicant No. 1 with the brother of complainant respondent No. 2, and since they have resolved their dispute and the daughter of applicant No. 1 and the brother of respondent No. 2 have now decided to be separated and it is agreed that towards permanent alimony Rs. 6.00 lakh is to be paid, out of which Rs. 2.00 lakh has already been paid and remaining amount will be paid tomorrow.

8. Learned Brief Holder for the State further pointed out that except the offences punishable under Sections 147 and 506 of IPC, rest of the offences are compoundable, but since all are family members, and they have now settled their disputes, therefore, these offences can also be

compounded.

10. 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 Brief Holder for the State, this Court is of the view that the compounding application deserves to be allowed.

11. In view of this, the Compounding Application is allowed.

12. The proceedings of Criminal Case No. 214 of 2024, State Vs. Munvar Hussain and others, wherein the present applicants are facing trial for the offences punishable under Sections 147, 323, 504 and 506 of IPC, registered at P.S. Kashipur, District Udhampur Singh Nagar, pending in the Court of Additional Chief Judicial Magistrate, Kashipur, District Udhampur Singh Nagar, are hereby quashed.

14. Accordingly, the C482 Application stands disposed of.

**(Rakesh Thapliyal, J.)**

29.02.2024

Mahinder/