

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.2143 of 2022 <u>Hon'ble Sharad Kumar Sharma, J.</u></p> <p>Mr. Anant Dhaka, Advocate for the applicant.</p> <p>Mr. Pratiroop Pandey, AGA assisted by Mr. Tumul K. Nainwal, Brief Holder for the State.</p> <p>Mr. Abhishek Sati, Advocate for respondent no.2.</p> <p>In the present C-482 application, the applicant has put a challenge to the proceedings of Criminal Case No.68 of 2022 State vs. Vibhishan Kumar Mehto & others, which is being tried by the court of Judicial Magistrate, Joshimath, District Chamoli, for the offences under Sections 420, 120-B of IPC, as well as Section 66 (C) (D) of Information Technology Act.</p> <p>The nature of offences, which has been complaint of in the FIR being FIR No.2 of 2022 dated 15.05.2022, it has been registered by the complainant/respondent no.2 for the offence under Section 420 of IPC, on the ground that there was a booking for the helicopter flight from Badrinath to Kedarnath, for which the complainant is said to have got his registration on online basis and has remitted an amount of Rs.24,600/- as a travelling fare. But despite of the aforesaid booking the complainant was not provided with the flight facility and the amount was not being returned resulting into a registration of FIR, under Section 420 of IPC.</p> <p>The matter was investigated by the Investigating Officer and while submitting the charge sheet being Charge Sheet No.2 of 2022 dated 26.07.2022, the Investigating Officer has introduced the offence under Section 120-B IPC and Section 66(C) (D) of the Information Technology Act, on which the cognizance have been taken by the court of Judicial Magistrate,</p>

			<p>Joshimath, Chamoli. Hence, the C-482 application.</p> <p>The C-482 application is supported with the compounding application which has been duly signed by both the parties as well as supported by the respective affidavits which has been duly verified by the respective counsels and looking to the nature of complaint and its gravity, coupled with the fact that the parties to the proceedings have made a statement that on their affidavits that they have resolved their dispute amongst themselves in terms of affidavit filed with the compounding application, the complainant/respondent no.2, does not intends to proceed any further against the present applicant for the alleged involvement in the commission of offence under Section 420 and 120-B of IPC and Section 66 (C)(D) of Information and Technology Act.</p> <p>All these offences for which the cognizance have been taken, they would also be compoundable under Section 320 of Cr.P.C. and would be compoundable under Section 77(A) of Information and Technology Act.</p> <p>While accepting the compounding application and dropping the proceedings of Criminal Case No.68 of 2022 State vs. Vibhishan Kumar Mehto and Others, for which the trial is pending consideration, the offence would stand compounded in terms of the compounding application filed by the parties to the proceedings who have jointly filed their affidavits in support of the compounding application.</p> <p>Accordingly, the C-482 application would stand allowed in view of the observations as made above.</p> <p style="text-align: right;">(Sharad Kumar Sharma, J.) 30.11.2022</p> <p>Arti</p>
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