

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	<u>21.12.2022</u>		<p>C482 No. 2194 of 2022</p> <p><b><u>Hon'ble Sharad Kumar Sharma, J.</u></b></p> <p>Mr. Karan Anand, Advocate, for the applicant.</p> <p>Mr. Tumul Kumar Nainwal, Brief Holder, for the State.</p> <p>Mr. Jasmeet Sahota, Advocate, for the respondent.</p> <p>The applicant to the present C482 Application, has put a challenge to the summoning order dated 29.11.2022, as it was rendered in Criminal Case No. 7884/2022, State Vs. Surender Singh, by the Court of Judicial Magistrate, 1<sup>st</sup>, Dehradun, for trying the present applicant for commission of offence under Sections 420 and 120B of IPC, and Section 66D of the Information Technology Act.</p> <p>The registration of the aforesaid proceedings was as a consequence of registration of the FIR, being FIR No. 19 dated 24.08.2022, which was registered by the complainant/respondent No. 2, herein with regard to the set of allegations which had been levelled in the FIR, pertaining to the fraudulent exchange of money, which he was duped of by the applicant. The Chargesheet was submitted, and ultimately the cognizance order had been issued by the Court of Judicial Magistrate, 1<sup>st</sup> in the aforesaid criminal case.</p>

		<p>The C482 Application is accompanied with the Compounding Application No. IA/1/2022, which has been duly signed by the private parties to the proceedings of C482 Application, as well as the contents of the same has been verified by their respective counsels, who represent them. The parties are present in person. This Court had interacted with the complainant/respondent No. 2, who has made a statement, that now no dispute survives between them, because he has received the entire amount, which was due to be paid to him by the applicants, and as complained of in the FIR and since the dispute has already been resolved, he doesn't want to prosecute the present applicant any further.</p> <p>The offences, which had been complaint of, they are compoundable under Section 320 of CrPC, coupled with the fact, that the offence under Section 66D of the Information Technology Act, would be compoundable under Section 77A of the Information Technology Act.</p> <p>Since the grievance of the complainant/respondent No. 2, now stands redressed, no fruitful purpose would be served to proceed further with the Criminal Case No. 7884/2022, State Vs. Surender Singh, which is presently pending consideration before the Court of Judicial Magistrate, 1<sup>st</sup>, Dehradun.</p> <p>In that eventuality, the proceedings of the aforesaid criminal case are hereby dropped, and accordingly, present C482 Application would stand disposed of in</p>
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			<p>terms of the Compounding Application and the statement, which has been recorded by the complainant/respondent No. 2 herein, before this Court.</p> <p>As a consequence of today's order, the applicant, who is languishing in jail, is directed to be released forthwith, without any conditions, subject to the fact, that he is not found to be involved in any other case.</p> <p style="text-align: right;"><b>Sharad Kumar Sharma, J.)</b> 21.12.2022</p> <p>Mahinder/</p>
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