

Sl. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>IA No.01 of 2023 (Compounding Application) In C482 No.291 of 2023 <u>Hon'ble Sharad Kumar Sharma, J.</u></p> <p>Mrs. Sheetal Selwal, Advocate, for the applicants. Mr. Atul Kumar Shah, D.A.G. for the State of Uttarakhand/1. Mr. Prasanna Karnatak, Advocate, for the respondent no.2.</p> <p>An FIR at the behest of the respondent no.2, stood registered at Police Station Kashipur, District Udham Singh Nagar, which was numbered as FIR No.0662 of 2022, dated 07.11.2022, for the offence under section 420 of IPC. The present applicants have not been named in the FIR.</p> <p>On closure of the investigation, a Chargesheet No.05 of 2023, dated 03.01.2023, was submitted by the Investigating Officer, whereby the charges have been framed in relation to the offences under sections 34, 403, 411 and 420 of IPC, and under section 66-C of the Information and Technology Act.</p> <p>It is that upon the submission of the Chargesheet, the cognizance has been taken in Criminal Case No.33 of 2023, "State Vs. Rohit Kumar and others", whereby the present applicants have been summoned to be tried for the aforesaid offences.</p>

			<p>At present the applicants are languishing in jail in relation to their alleged involvement in commission of the offences under sections 420, 34, 411 and 403 of IPC and under section 66-C of the Information Technology Act.</p> <p>As such because they are languishing in jail, they are represented by the father of applicant No.1 Mr. Dharmendra Chauhan, who is present in the Court, and identified by the counsel for the applicants.</p> <p>Respondent no.2/complainant too is present in the Court and he has been identified by his counsel.</p> <p>The parties to the C482 application have filed the compounding application submitting thereof that the parties have settled their dispute outside the court, in terms of the settlement which has been referred to in paragraph nos.3 and 4, of the compounding application.</p> <p>In order to rest assure about the terms of the compounding application, this Court had called upon the complainant with regards to the assertion made in the compounding application, and the complainant, herein, Mr. Rajesh, has made a statement, that the settlement, which has been referred to, in the compounding application which has been signed by the father of the applicants and the respondent no.2, he would not have any objection if the offences are compounded.</p> <p>Government Advocate was called upon to</p>
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			<p>raise his objection as against the compounding application, they have submitted that since all the offences are compoundable under section 320 of CrPC as well as under section 77A of the Information Technology Act, they would not have any serious objection, as such, if the offences are compounded.</p> <p>Owing to the aforesaid consensus as referred to in the compounding application, and owing to the statement made by the complainant before this court, that he does not want to prosecute the applicants, any further, for their alleged involvement in the offences, which is being tried by the court of learned Additional Chief Judicial Magistrate, Kashipur, District Udham Singh Nagar by way of a Criminal Case No.33 of 2023, “State Vs. Rohit Kumar and others”.</p> <p>The C482 would stand allowed, and as a consequence thereto the proceedings of the Criminal Case No.33 of 2023, “State Vs. Rohit Kumar and others” pending consideration before the court of Additional Chief Judicial Magistrate, Kashipur, District Udham Singh Nagar, would hereby stand dropped.</p> <p style="text-align: right;">(Sharad Kumar Sharma, J.) 01.03.2023</p> <p>NR/</p>
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