

## Suhail Khan Vs State Of Uttarakhand And Another

**Court:** Uttarakhand High Court

**Date of Decision:** Sept. 21, 2024

**Acts Referred:** Bharatiya Nagarik Suraksha Sanhita, 2023 â€” Section 528

Indian Penal Code, 1860 â€” Section 498A, 504

Dowry Prohibition Act, 1961 â€” Section 3, 4

Muslim Women (Protection Of Rights On Marriage) Act, 2019 â€” Section 3, 4

**Hon'ble Judges:** Ravindra Maithani, J

**Bench:** Single Bench

**Advocate:** Shruti Joshi, Manisha Rana Singh, Digvijay Singh Bisht

**Final Decision:** Allowed

### Judgement

Ravindra Maithani, J

1. Instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been preferred by the petitioner for quashing the charge-

sheet dated 10.08.2022, cognizance order dated 02.12.2022, under Sections 498-A, 504 IPC; Sections 3/4 of the Dowry Prohibition Act, 1961 and

Sections 3/4 of the Muslim Women (Protection of Rights on Marriage) Act, 2019, passed in Criminal Case No.8452 of 2022, State vs. Suhail Khan,

passed by the court of 4th Additional Chief Judicial Magistrate, Dehradun (Ã¢â€šâ„¢the caseÃ¢â€šâ„¢) as well as entire proceeding of the case on the basis of

amicable settlement between the parties. A joint compounding application has also been filed supported by the affidavits.

2. Heard learned counsel for the parties and perused the record.

3. Learned counsel for the parties would submit that it was a matrimonial discord; the parties have settled the dispute amicably; the petitioner and the

respondent no.2 have decided to stay separate.

4. The petitioner and the respondent no.2 are before the Court, as identified by their respective counsel. They have verified the compromise. They

have stated that they have settled the dispute amicably.

5. The Court particularly asked the informant (respondent no.2). She would submit that they have settled the dispute amicably; they have decided to

stay separate and she does not want to proceed with the case.

6. Having considered the nature of the offence and other attending factors, this Court is of the view that the petition may be decided on the basis of

compromise between the parties. Accordingly, the petition deserves to be allowed.

7. The petition is allowed. The charge-sheet dated 10.08.2022, cognizance order dated 02.12.2022 as well as entire proceedings of the case, are

hereby quashed.

8. Compounding Application (IA) No.1 of 2024 stands disposed of accordingly.