

Sanjay Vs. State of Uttaranchal

Sanjay Vs. State of Uttaranchal

SooperKanoon Citation : sooperkanoon.com/514260

Court : Uttaranchal

Decided On : Aug-24-2005

Reported in : I(2006)DMC628

Judge : J.C.S. Rawat, J.

Acts : [Dowry Prohibition Act, 1961](#) - Sections 3 and 4; [Indian Penal Code \(IPC\), 1860](#) - Sections 323 and 498A; [Code of Criminal Procedure \(CrPC\) , 1973](#) - Sections 125

Appeal No. : Criminal Misc. Application No. 541 of 2005

Appellant : Sanjay

Respondent : State of Uttaranchal

Advocate for Def. : None

Advocate for Pet/Ap. : Bhupendra Singh Negi and; Amrish Agarwal, Adv.

Judgement :

J.C.S. Rawat, J.

1. Heard Mr. Bhupendra Singh Negi and Mr. Amrish Agarwal learned Counsel for the applicant

2. Issue notice to the private respondent returnable within eight week List thereafter.

3. Till the next date of listing, further proceedings in Criminal Case No. 2207/2003 pending before the Judicial Magistrate, Kashipur, U. Nagar shall remain stayed.

4. It has been alleged in para 7 of the petition that the instant complaint was filed by the complainant against the applicants and the same is only a counter blast of the complaint lodged by the applicant No. 5 under Sections 498A, 323, IPC and 3/4, Dowry Prohibition Act. It has also been alleged in para 9 of the petition that the applicant No. 5 has moved an application under Section 125, Cr. P.C. against her husband before the competent Magistrate and the learned Magistrate allowed the same.

5. Therefore, I direct both the parties to appear before the Marriage Counselling Cell, U. Nagar on 30th September, 2005 for reconciliation. The Registry shall inform the private respondent to appear before the Marriage Counselling Cell, on 30.9.2005. The learned Counsel for the applicants shall also personally inform the private respondent about the date fixed in the Marriage Counselling Cell. If the parties are not entered into an amicable settlement, the Marriage Counselling Cell will fix the date for further reconciliation. If the parties are ready to enter into an amicable settlement, they shall file the compromise petition before the Court concerned and the Court concerned will verify the compromise petition in accordance with law.

The Marriage Counselling Cell will submit its report within one month from the date fixed by this Court.

List thereafter.