

Court No. - 87

Case :- APPLICATION U/S 482 No. - 18303 of 2018

Applicant :- Smt. Manoj Kumari And 2 Others

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Radhey Shyam Yadav

Counsel for Opposite Party :- G.A., Dinesh Kumar
Maurya, Rajeev Tiwari, Vinit Mishra

Hon'ble Neeraj Tiwari, J.

1. Case was taken up in category of mention cases.
2. Mr. Radhey Shyam Yadav, learned counsel for the applicant has given information to Mr. Rajeev Tiwari, learned counsel for the opposite party no.2 through whatsapp. Same is taken on record.
3. Heard learned counsel for the applicants, learned AGA for the State and Mr. Rajeev Tiwari, learned counsel for the opposite party no.2 is not present.
4. The present application under section 482 Cr.P.C. has been filed for quashing the order dated 19.4.2018 as well as proceeding of Case Crime No. 682 of 2017 (State vs. Pankaj Tomar & Other), under Sections- 498-A, 323, 325, 506 IPC and Section 3/4 of D.P. Act Police Station- Chhibramau, District- Kannauj.
5. Learned counsel for the applicants submitted that present matter is arising out of matrimonial dispute and now parties have entered into compromise. He next submitted that three other proceedings i.e. Case No.489 of 2019, Case No. 583/12/17 and Case No. 344 of 2018 are pending between the parties. Now, applicant no.3 and opposite party no.3 are decided to live separately on the basis of compromise. He further submitted that on the basis of compromise, aforesaid proceedings has also been decided vide orders dated 14.12.2019 & 8.1.2020. He lastly submitted that in light of compromise, present proceeding may be quashed.
6. Learned AGA has not disputed the aforesaid facts. He further submitted that in case this Court is pleased to quash the criminal proceeding pending against the applicants, he has no objection.

7. I have considered the rival submissions advanced by the learned counsel for the petitioner and perused the record, compromise deed dated 5.10.2019 and also orders of trial Court. From perusal of the same, parties have entered into compromise and relying upon the same, three other proceedings has also been decided.

8. In view of above, the applicants and respondent no. 2 do not want to pursue the case any further as stated by them. The matter has been mutually settled between the parties, therefore, no useful purpose would be served in proceeding with the matter further.

6. Thus in view of the well settled principle of law as laid down by the Hon'ble Apex Court in the matters of **Krishnappa & Ors. vs. State of Karnataka; 2021 0 Supreme(SC) 529, Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and Ors. vs. State of Gujarat and another; 2017 9 SCC 641, B.S. Joshi Vs. State of Haryana; 2003(4) SCC 675, Nikhil Merchant Vs. Central Burea of Investigation and another; (2008) 9 Supreme Court Cases 677, Gian Singh Vs. Stated of Punjab; (2012) 10 SCC 303 and Narinder Singh & others Vs. State of Punjab and another; (2014) Supreme Today 642**, the proceedings of the aforesaid case is hereby quashed.

9. The present application is, accordingly **allowed**. Nor order as to costs.

Order Date :- 8.11.2023

Junaid