

Court No. - 92

Case :- APPLICATION U/S 482 No. - 18120 of 2023

Applicant :- Smt Shalini Nehru And 2 Others

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

Counsel for Applicant :- Rakesh Kumar Gupta

Counsel for Opposite Party :- G.A.

Hon'ble Anish Kumar Gupta,J.

1. Heard Ms. Kaveri Singh, learned Advocate, holding brief of Sri Rakesh Kumar Gupta, learned counsel for the applicants and Sri Akhilesh Kumar Srivastava, learned A.G.A. for the State.

2. The instant application, under section 482 Cr.P.C., has been filed seeking quashing of the entire proceedings of Case No. 7769 of 2023, under Section 498-A IPC and Section 3/4 D.P. Act, P.S. Mahila Thana, District Meerut, pending before the Civil Judge (Jr. Division), FTC Meerut, as well as charge-sheet dated 14.03.2023 and cognizance order dated 26.04.2023, arising out of Case Crime No. 66 of 2022.

3. Learned counsel for the applicants submits that this is a matrimonial dispute, which has been duly settled between the applicant no. 3 and opposite party no. 2 after filing charge-sheet. An application, under Section 13-B of Hindu Marriage Act, was filed before the Principal Judge, Family Court, Meerut, which has been decreed vide order dated 17.04.2023 in view of compromise between the parties. Vide order dated 16.05.2023, this Court has directed the parties to appear before the trial court for verification of compromise. In terms of the said order, the compromise dated 22.11.2023 was filed before the trial court, which has been duly verified in the presence of the parties before the trial court. Vide order dated 20.11.2023, the trial court report to this effect has been sent to this Court, which is available on record. Therefore, learned counsel for the applicants has prayed for quashing the entire proceedings of the case against the applicants.

4. Looking into the facts and circumstances of the case, learned A.G.A. for the State did not dispute the factum of compromise between the parties and do not oppose the prayer for quashing the entire proceedings against the applicants herein.

5. Having heard the submissions of learned counsel for the parties, this Court carefully gone through the record of the case. From the perusal of records of the case, it is apparent that it was a matrimonial dispute between applicant no. 3 and opposite party no. 2, which have been duly settled between the parties. In terms of such settlement, an application under Section 13-B of the Hindu Marriage Act was filed, which has been decreed vide order dated 17.04.2023. The settlement amount of Rs. 10 lacs has already been paid to the opposite party no. 2, by way of a demand draft which has been duly recorded in the order dated 17.04.2023 and also a compromise submitted before the trial court for verification.

6. In view thereof, nothing remains in the instant case to be prosecuted against the applicants herein. Since it was a dispute of matrimonial nature which was duly settled and no purpose would be served by keeping a criminal prosecution pending against the applicants.

7. In view thereof, the instant application is **allowed** in terms of **Gian Singh v. State of Punjab and another (2012) 10 SCC 303, Narinder Singh and others v. State of Punjab (2014) 6 SCC 466 and Prabatbhai Aahir alias Prabatbhai Bhimsinghbhai Karmur and others v. State of Gujarat and another (2017) 9 SCC 641**, the entire proceedings of the aforesaid criminal case are hereby quashed.

Order Date :- 1.12.2023

Akram