

**Court No. - 88**

**Case :-** APPLICATION U/S 482 No. - 26778 of 2023

**Applicant :-** Bakshi Rahul Prasad And 3 Others

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

**Counsel for Applicant :-** Prashant Sharma

**Counsel for Opposite Party :-** G.A., Surendra Pratap Singh

**Hon'ble Sanjay Kumar Singh, J.**

Heard learned counsel for the applicants, learned Additional Government Advocate for the State, learned counsel for the opposite party no.2 and perused the record.

This application under Section 482 Cr.P.C. has been filed by the applicants with a prayer to quash the summoning order dated 13.05.2019 and proceedings of case no. 298 of 2019 arising out of case crime no. 371 of 2018, under Sections 498A, 323, 504, 506, 406 I.P.C. and Sections 3/4 Dowry Prohibition Act, Police Station Mahila Thana, District Prayagraj pending in the Court of Additional Family Court, Court No. 4, Allahabad.

It is submitted by the learned counsel for the applicants that the applicant nos. 1, 2, 3 and 4 are husband, brother-in-law, father-in-law and mother-in-law of opposite party no. 2. The marriage of applicant no.1 with the opposite party no. 2 was solemnized on 02.12.2016 but their marriage was not successful, as a result thereof, on account of acrimonious relation, the opposite party no. 2 lodged the impugned F.I.R. on 16.09.2018 against the applicants in which charge-sheet has been submitted and the applicants have been summoned to face trial. Thereafter, the parties concerned have settled the dispute outside the Court and a compromise deed has been prepared in this regard on 06.07.2023, which has been brought on record as Annexure No. 6 to this application.

It is also submitted that the aforesaid compromise deed has yet not been filed before the concerned

court below, where criminal proceeding is pending against the applicants and requested to allow the applicants to move compromise deed before the concerned court below.

Whether the parties have, in fact, compromised the matter or not, can best be ascertained by the court below, as such said compromise has to be duly verified in presence of the parties concerned before the court.

On the request made by learned counsel for the applicants three weeks' time is allowed to the applicants to file compromise application before the concerned Court below.

Accordingly, the concerned court below is directed that in case such compromise application is filed by the applicants before it within aforesaid period, it shall issue notices to all the signatories to the compromise requiring their personal presence and, thereafter, proceed to verify the compromise. If the aforesaid compromise is verified, a report to that effect shall be prepared by the court and the compromise will be made part of the record. The court in that scenario will allow the parties to obtain certified copy of the report as well as compromise and it will be open to the applicants to approach this Court again for quashing of the proceedings.

Till verification of compromise between the parties by the court concerned, no coercive action shall be taken against the applicants in the aforesaid case.

With the aforesaid directions the application stands ***disposed of.***

**Order Date :- 17.10.2023**  
Saurabh