

Court No. - 87

Case :- APPLICATION U/S 482 No. - 23602 of 2010

Applicant :- Smt. Parvati And Others

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

Counsel for Applicant :- Dinesh Kumar Yadav, A.R. Nadiwal

Counsel for Opposite Party :- Govt. Advocate, Rajesh Maurya

Hon'ble Neeraj Tiwari, J.

1. Heard learned counsel for the applicants, learned AGA for the State and Sri Rajesh Maurya, learned counsel for opposite party no. 2.

2. The present 482 Cr.P.C. application has been filed to quash of entire proceedings of the Case No.16/12/2010 (State of U.P. Vs. Pawan Kumar @ Pawan Sutt Yadav And Others) arising out of the Case Crime No.302 of 2010, under Sections 498A, 323, 504, 506 I.P.C. and 3/4 D.P. Act, P.S.- Phoolpur, District- Azamgarh, pending before the learned C.J.M., Azamgarh.

3. Case was heard on 11.04.2023, Court has passed the following order:-

"Learned counsel for the applicants and learned counsel for the opposite party no.2 are present. According to them, the parties have arrived at a compromise. The compromise deed is appended at page-10 of the supplementary affidavit.

The dispute is matrimonial. The compromise between the parties would not affect the society adversely. As some of the sections involved are non compoundable, hence, the parties want to get verified their compromise deed by the trial court.

The parties are directed to appear before the trial court within 15 days from today alongwith their compromise deed. If the parties appear before the trial court within the time stipulated, the trial court shall verify the said compromise deed, pass a verification order thereon and transmit the certified copy of the verified compromise deed alongwith the certified copy of the verification order passed thereon, to this Court before the date fixed.

List on 05th May, 2023."

4. Pursuant to the order of this Court dated 11.04.2023, learned Judicial Magistrate, F.T.C./ Women, Azamgarh has verified the compromise between the parties on 17.08.2023 and information to this effect has been received before this Court on the same date.

5. Learned counsel for the applicants submitted that the present matter is arising out of matrimonial dispute and now the parties have entered into compromise, therefore, present proceeding may be quashed.

6. Sri Rajesh Maurya, learned counsel for the opposite party no.2 has not objected the aforesaid fact and submitted that in case proceedings is quashed, he would have no objection.

7. Learned AGA has also not disputed the aforesaid fact.

8. In view of above, the applicants and opposite party 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.

9. 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.

10. The present application is, accordingly **allowed**. No order as to costs.

Order Date :- 7.12.2023

Arvind