

Court No. - 92

Case :- APPLICATION U/S 482 No. - 17260 of 2017

Applicant :- Surya Prakash And 8 Others

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

Counsel for Applicant :- Muktesh Kumar Singh

Counsel for Opposite Party :- G.A., Bhawesh Pratap Singh, Umesh Kumar

Hon'ble Anish Kumar Gupta, J.

1. Heard Sri P.K. Vishwakarma, Advocate holding brief of Sri Muktesh Kumar, learned counsel for the applicants, Sri Umesh Kumar, learned counsel for the opposite party no.2 and Sri Prem Prakash Tripathi, learned AGA appearing for the State.

2. The instant application under Section 482 Cr.P.C. has been filed seeking quashing of the summoning order dated 19.04.2017 passed in the Complaint Case No. 2987 of 2016 (Smt. Rama Devi vs. Surya Prakash and others) for an offence under Sections 498A, 323, 504, 406 IPC and 3/4 Dowry Prohibition Act, P.S. Chilh, District Mirzapur, pending before the learned Chief Judicial Magistrate -I, Mirzapur.

3. Vide order dated 11.01.2023, the instant matter was referred for mediation before the Mediation and Conciliation Centre of this Court. As per the report of the Mediation Centre dated 29.03.2023, the parties have settled their dispute amicably with the assistance of the mediators and the parties have already filed an application under Section 13-B of the Hindu Marriage Act by mutual consent being Divorce Petition No. 187 of 2023 and the opposite party no.2 has agreed to receive Rs. 3.90 lacs as full and final settlement of her claims against the applicants and out of the said amount of Rs. 3.90 lacs, Rs. 1.85 lacs were handed over to the opposite party no.2 on 29.03.2023 by way of bank draft. In the said agreement, the parties have agreed to withdraw the proceeding of the cases or get the same quashed through competent Court.

4. In view of the settlement of the dispute, which was purely a matrimonial dispute, the instant criminal proceedings initiated by the opposite party no.2 against the applicants are liable to be quashed in terms of the said compromise between the parties.

5. Therefore, the instant application is allowed in terms of the settlement arrived at between the parties before the Mediation and Conciliation Centre.

6. The entire proceedings of Complaint Case No. 2987 of 2016 (Smt. Rama Devi vs. Surya Prakash and others), under Sections 498A, 323, 504, 406 IPC and 3/4 Dowry Prohibition Act, P.S. Chilh, District Mirzapur, are hereby quashed.

Order Date :- 7.11.2023

Ashish Pd.