

Court No. - 89

Case :- APPLICATION U/S 482 No. - 31937 of 2023

Applicant :- Nitin Bajpai And 2 Others

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

Counsel for Applicant :- Ram Awadh Mishra, Yogesh Krishna Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma,J.

1. Supplementary affidavit, filed today, is taken on record.
2. Heard learned counsel for the applicants and learned A.G.A. for the State.
3. The present 482 Cr.P.C. application has been filed to quash the entire proceedings of Case No.7793 of 2017 (State Vs. Nitin Bajpai and others) arising out of Case Crime No.13 of 2016, under Sections 498-A, 323 I.P.C. and Section 3/4 D.P. Act, P.S. Mahila Thana, District Kanpur Nagar, pending in the court of Civil Judge, (J.D.)/F.T.C. (CAW) Kanpur Nagar.
3. It has been contended by learned counsel for the applicants that applicant no. 1 is husband of opposite party no. 2 and they are living separately and divorce petition was allowed in terms of compromise. Further submission is that the applicant no. 1 and opposite party no. 2 have amicably settled their dispute out of the court. A copy of the compromise deed has been filed before the court below and a copy of which is annexed with supplementary affidavit, hence the proceeding against the applicants be quashed.
4. Learned AGA does not dispute the correctness of the facts.
5. Accordingly, it is provided that the parties shall appear before the court below with compromise deed along with a certified copy of this order on the next date fixed. It is therefore expected that the trial court may fix a date for the verification of the compromise entered into between the parties and pass an appropriate order to that effect within next four weeks. It shall be open to the applicants to file a fresh application U/S 482 at that stage for the relief sought herein.
6. In view of the above, the present application is **disposed of**.
7. For a period of five weeks, no coercive measure shall be taken against the applicants.

Order Date :- 13.10.2023

Meenu Singh