

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 13686 of 2023

Petitioner :- Hemant Kumar And 7 Others

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Sunil Vashisth, Shyam Sunder

Counsel for Respondent :- G.A., Ashutosh Gupta

Hon'ble Anjani Kumar Mishra, J.

Hon'ble Arun Kumar Singh Deshwal, J.

Order on writ petition

1. Heard learned counsel for the petitioners, learned counsel for the first informant as well as learned AGA for the State.
2. The instant writ petition seeks quashing of the FIR dated 31.07.2023 giving rise to Case Crime No.449 of 2023, under Sections 498-A, 323, 354, 504, 506 I.P.C. & section 3/4 Dowry Prohibition Act, Police Station- Gandhi Park, District- Aligarh.
3. Vide order dated 29.08.2023, the matter has been referred for mediation.
4. Learned counsel for the parties submits that the mediation proceedings succeeded and that a settlement has been arrived at between the parties, identical of the report of the mediation, copy whereof has been produced by counsel for the parties and the same is taken on record.
5. Under the circumstances and since the parties has settled their differences and have entered into compromise in mediation proceedings, permitting prosecution on the basis of the impugned First Information Report would amount to travesty of justice.
6. Accordingly, we ***allow*** the petition and quash the First Information Report dated 31.07.2023 arising out of Case Crime No. 449 of 2023 under Sections 498-A, 323, 354, 504, 506 I.P.C. and Section 3/4 Dowry Prohibition Act, Police Station- Gandhi Park, District- Aligarh.

Order on Criminal Misc. Correction Application No. 02 of 2023

7. Heard learned counsel for the parties.

8. Necessary correction has been made in the order dated 29.08.2023.

9. Correction application stands allowed.

Order Date :- 29.11.2023

Anjali