

Court No. - 87

Case :- APPLICATION U/S 482 No. - 34032 of 2023

Applicant :- Puneet Singh And 3 Others

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

Counsel for Applicant :- Ajay Vikram Singh

Counsel for Opposite Party :- G.A.,Atul Kumar Tiwari

Hon'ble Neeraj Tiwari,J.

1. Heard learned counsel for the applicants, learned A.G.A. for the State and Sri Abhay Kumar Singh, Advocate, holding brief of Sri Atul Kumar Tiwari, learned counsel for the opposite party No. 2.

2. The present 482 Cr.P.C. application has been filed to quash the charge sheet dated 12.02.2021, cognizance order dated 06.09.2021 as well as entire proceedings of Case No. 86 of 2021(State Vs. Puneet Singh and others), arising out of Case Crime No. 216 of 2020, under Sections- 498A, 323, 506 I.P.C., Police Station- Mahila Thana, District- Ghaziabad.

3. Learned counsel for the applicants submitted that now applicant No. 1(husband) and opposite party No. 2(wife) have entered into compromise and decided to live separately. He next submitted that both applicant No. 1(husband) and opposite party No. 2(wife) have also filed divorce petition under Section 13B of Hindu Marriage Act, 1955 in which compromise has also been recorded by the Family Court in its order dated 05.05.2023, fixing the next date for final disposal. He next submitted that opposite party No. 2 has also filed counter affidavit, in which he has affirmed the fact of compromise between the parties. He next submitted that in light of compromise entered between the parties, present criminal proceeding against the applicants may be quashed.

4. Learned A.G.A. could not dispute the aforesaid facts.

5. Learned counsel for the opposite party No. 2 has filed short counter affidavit, in which he has not objected the aforesaid facts and submitted that in case proceedings against the applicants is quashed, he would have no objection.

6. In view of the facts and circumstances of the case, 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.

7. 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.

8. The present application is, accordingly **allowed**.

9. No order as to costs.

Order Date :- 29.11.2023

ADY