

Court No. - 88

Case :- APPLICATION U/S 482 No. - 34805 of 2023

Applicant :- Chandramohan And 5 Others

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

Counsel for Applicant :- Pushpendra Singh

Counsel for Opposite Party :- G.A., Mohd. Shahibe Alam

Hon'ble Sanjay Kumar Singh, J.

1-Heard learned counsel for the applicants, learned Additional Government Advocate for the State, learned counsel for the opposite party no.2 and perused the record.

2-This application under Section 482 Cr.P.C. has been filed by the applicants to quash the charge-sheet dated 08.07.2022 as well cognizance order dated 20.12.2022 in Case No. 1236 of 2022 (State Vs. Chandramohan and others) arising out of Case Crime No. 0654 of 2021, under Sections 498-A, 323 I.P.C. and Section 3/4 Dowry Prohibition Act, Police Station Dibai, District Bulandshahr, pending in the court of A.C.J.M. Anoopshahr, Distirct-Bulandshahr.

3-It is submitted by learned counsel for the applicants that applicant no.1 is husband of opposite party no.2 and rest of the applicant nos. 2 to 6 are family members of applicant no.1. Marriage of applicant no.1 was solemnized with opposite party no.2 about seven years back, but their marriage was not successful, as a result thereof opposite party no.2 lodged F.I.R. on 26.11.2021 against the applicants, in which after culmination of investigation charge sheet was submitted against them. Thereafter, parties concerned have settled their dispute outside the Court and a settlement arrived at between the parties concerned.

4-It is also submitted that the compromise application dated 07.08.2023 has been filed before the concerned Court below, where criminal proceeding against the applicants is pending. Said compromise application has been brought on record

as Annexure No. 4 to this application.

5-Whether the parties have, in fact, compromised the matter or not, can best be ascertained by the Court below, as such said compromise has to be duly verified in presence of the parties concerned before the Court.

6-Accordingly, the concerned Court below is directed that if any such compromise has already been filed before it, it shall issue notices to all the signatories to the compromise requiring their personal presence and, thereafter, proceed to verify the compromise. If the aforesaid compromise is verified, a report to that effect shall be prepared by the Court and the compromise will be made part of the record. The Court in that scenario will allow the parties to obtain certified copy of the report as well as compromise and it will be open to the applicants to approach this Court again for quashing of the proceedings.

7-Till verification of compromise between the parties by the Court concerned, no coercive action shall be taken against the applicants in the aforesaid case.

8-With the aforesaid directions the application stands ***disposed of.***

Order Date :- 9.11.2023

Kashifa