

Court No. - 34

Case :- APPLICATION U/S 482 No. - 36929 of 2022

Applicant :- Atul Tripathi And 4 Others

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

Counsel for Applicant :- Atul Tripathi, Manisha Chaturvedi

Counsel for Opposite Party :- G.A.

Hon'ble Ajit Kumar, J.

1. Sri Satya Prakash Pandey, Advocate has put in appearance and filed Vakalatnama on behalf of opposite party no. 2, which is taken on record.

2. Heard Ms. Manisha Chaturvedi, learned counsel for the applicant Sri Satya Prakash Pandey, learned counsel for opposite party no. 2 and learned A.G.A. for the State.

3. By means of this application filed under section 482 Cr.P.C., the applicants have challenged the order dated 26.08.2022 passed by Civil Judge, (J.D.)/F.T.C. (Crime against Women), Court No. 15, Bhadohi Gyanpur in proceeding of Case No. 283 of 2021 under Section 12 of the Protection of Women from Domestic Violence Act, 2005 and also questioned entire proceedings of the said case.

4. Since the parties have come to terms and reached at a compromise outside the Court on the basis of which permanent alimony of Rs. 8,50,000/- have been paid to opposite party no. 2 and this Court today itself passed an order in the matter under article 227 of the Constitution being numbered as 3594 of 2023, directing the Family Court

concerned to disposed of the pending application under Section 13-B of the Hindu Marriage Act, 1955, this being a matrimonial dispute having been settled between the parties, I consider it appropriate to quash the entire proceedings of the present case in the light of the judgment of the Supreme Court in the case of ***B.S. Joshi Vs. State of Haryana & others, (2003) 4 SCC 675.***

5. Accordingly, the entire proceedings drawn under Section 12 of the Protection of Women from Domestic Violence Act, 2003 against the applicants in Case No. 283 of 2021 pending in the Court of Civil Judge, (J.D.)/F.T.C. (Crime against Women), Court No. 15, Bhadohi Gyanpur, are hereby quashed.

6. The present 482 Cr.P.C. application stands allowed.

Order Date :- 8.11.2023

Shiraz