

Court No. - 89

Case :- APPLICATION U/S 482 No. - 38583 of 2023

Applicant :- Gaurav Kansal And 2 Others

Opposite Party :- State Of U.P. And 2 Others

Counsel for Applicant :- Shashi Ranjan Srivastava, Ram Bilas Kannaujia

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma, J.

1. Heard learned counsel for the applicants and learned AGA for the State.

2. The present 482 Cr.P.C. application has been filed to quash the impugned order dated 25.08.2023 in Complaint Case No.71 of 2018 (Smt.Pallavi vs. Gaurav Kansal and others), under Section 12 of Protection of Women From Domestic Violence Act, 2005, PS Kavi Nagar, District Ghaziabad, pending in the Court of Civil Judge (Junior Division)/F.T.C.-1 (Against crime of women), Ghaziabad.

3. Learned counsel for the applicants submits that applicants have challenged the impugned order dated 25.08.2023 by which parties have settled their dispute out of Court, was not considered by the Court and Court has considered the statement given by learned counsel for the opposite party before trial court that parties have not made any settlement and all reference given by the applicants that parties have settled their dispute, is forged and fabricated and is liable to be set aside. Learned counsel for the applicants submits that order passed on 25.08.2023 is bad and illegal as parties have compromised the matter in proceeding under section 125 Cr.P.C. and proceeding under section 498-A, 504, 506 I.P.C., 3/4 Dowry Prohibition Act and 13-B Hindu Marriage Act. Learned counsel for the applicants submits that parties have compromised the matter in other cases and also compromised the matter in the present case. Learned counsel for the applicants next submitted that if matter is referred to Mediation Centre, it shall be decided in terms of compromise between the parties.

4. Considered the submission made by both the parties. Matter is referred to Mediation Centre for conciliation between the parties before District Court, Ghaziabad. Mediation authorities after issuing notice to all the parties shall reconcile the dispute between the parties in terms of compromise within a period of three months

from the date of production of certified copy of this order.

5. The application u/s 482 Cr.P.C. is, accordingly, **disposed of**.

6. In the meantime, further proceeding in Complaint Case No.71 of 2018 (Smt.Pallavi vs. Gaurav Kansal and others), under Section 12 of Protection of Women From Domestic Violence Act, 2005, PS Kavi Nagar, District Ghaziabad, pending in the Court of Civil Judge (Junior Division)/F.T.C.-1 (Against crime of Women), Ghaziabad, shall remain stayed.

Order Date :- 17.10.2023

SKD