

Court No. - 4

Case :- APPLICATION U/S 482 No. - 38695 of 2023

Applicant :- Anshuman And 2 Others

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

Counsel for Applicant :- Abhishek Gupta

Counsel for Opposite Party :- G.A.

Hon'ble Prakash Padia,J.

1. Heard learned counsel for the applicants and learned A.G.A. for the State.
2. The present 482 Cr.P.C. application has been filed with a prayer to quash the entire proceeding of Case No. 1660 of 2015 (State Vs. Anshuman and others) arising out of Case Crime No.53 of 2015 under section 498-A, 323, 504, 506, I.P.C., section 3/4 Dowry Prohibition Act, Police Station Mahila Thana, District Gautam Buddh Nagar and the Cognizance/summoning order dated 19.08.2015 passed Judicial Magistrate, Gautam Budh Nagar and order dated 15.04.2019 passed by Civil Judge (S.D.)/FTC, Gautam Budh Nagar by which Non-bailable Warrant was issued in view of the compromise dated 08.05.2023 and verification dated 07.08.2023.
3. It is argued by learned counsel for the applicants that the dispute is between the husband and wife which has already been settled by a compromise dated 08.05.2023 and the aforesaid compromise has already been duly verified by the Court below vide its order 07.08.2023 pursuant to the order dated 11.07.2023 passed by this Court in Application under Section 482 No.24274 of 2023 (Anshuman and two others Vs. State of U.P. and another). It is argued that both the parties are residing together and performed

their matrimonial duties and prays that the entire proceedings be quashed in view of the compromise dated 08.05.2023.

4. Learned A.G.A. has admitted aforesaid fact and he has no objection if the proceedings has been quashed.

5. Heard learned counsel for the parties and perused the record.

6. From perusal of the record, it is clear that a compromise has been taken place between the parties on 08.05.2023 and the same has been verified by the Court below on 07.08.2023. Since the differences between the husband and wife has been resolved and they live together happily, they do not want to proceed with the matter any further and want to end the matter, this Court is of the opinion that no useful purpose would be served keeping the proceedings pending before the Court below.

7. In this view of the matter, the present Application under Section 482 Cr.P.C. is allowed and the proceedings of Case No. 1660 of 2015 (State Vs. Anshuman and others) arising out of Case Crime No.53 of 2015 under section 498-A, 323, 504, 506, I.P.C., section 3/4 Dowry Prohibition Act, Police Station Mahila Thana, District Gautam Buddh Nagar and the Cognizance/summoning order dated 19.08.2015 passed Judicial Magistrate, Gautam Budh Nagar and order dated 15.04.2019 passed by Civil Judge (S.D.)/FTC, Gautam Budh Nagar by which Non-bailable Warrant was issued are hereby quashed.

Order Date :- 18.10.2023
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