

Court No. - 87

Case :- APPLICATION U/S 482 No. - 37801 of 2023

Applicant :- Lupendra And 3 Others

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

Counsel for Applicant :- Vijay Tripathi

Counsel for Opposite Party :- G.A.

Hon'ble Neeraj Tiwari,J.

1. Sri Girish Kumar, Advocate has filed Vakalatnama on behalf of opposite party no.2, which is taken on record.

2. Heard learned counsel for the applicants, learned AGA for the State and Sri Girish Kumar, learned counsel for the opposite party no.2.

2. Learned counsel for the applicants submitted that earlier he has filed Application U/S 482 No. 34542 of 2019 before this Court in which this Court vide order dated 28.4.2023 referred the matter for verification.

3. In compliance of order dated 28.4.2023, learned trial Court has verified the said compromise deed entered between the parties on 5.7.2023.

4. Sri Girish Kumar, learned counsel for the opposite party no.2 has not disputed the aforesaid facts and also submitted that in case aforesaid proceeding is quashed, he would have no objection.

5. Learned AGA for the State has also not disputed the aforesaid facts.

6. In view of above, 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, summoning order dated 12.07.2019 passed by A.C.J.M., Court No.5, Agra in Compliant Case No.6300 of 2019, under Sections 498A, 323, 506 I.P.C. & Section 3/4 Dowry Prohibition Act, Police Station-Rakabganj, District-Agra are hereby quashed.

8. The present application is, accordingly **allowed**. No order as to costs.

Order Date :- 28.11.2023

Junaid