

Court No. - 87

Case :- APPLICATION U/S 482 No. - 39671 of 2023

Applicant :- Suresh Pal And 4 Others

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

Counsel for Applicant :- Vijay Kumar Dwivedi

Counsel for Opposite Party :- G.A.

Hon'ble Neeraj Tiwari,J.

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

2. By means of instant application under Section 482 Cr.P.C, the applicants have assailed the charge sheet dated 13.5.2020, cognizance as well as summoning order dated 28.7.2020 in Criminal Case No. 3239 of 2020 (State vs. Suresh Pal & others), arising out of case crime No.361 of 2019, under Sections 147, 323, 504 IPC, Police Station- Civil Lines, District- Aligarh.

3. Learned counsel for the applicants submitted that present criminal proceedings is arising out of matrimonial dispute and this Court vide order dated 6.10.2020 in Application U/S No. 12675 of 2020 referred the matter to Mediation Centre. As per mediation report dated 21.12.2021, all dispute between the parties has been sort out and now they are decided to live together as husband and wife. He lastly submitted that in light of agreement between the parties, other criminal proceedings has also been quashed by this Court. He lastly submitted that in light of compromise entered between the parties, proceedings may be quashed for which learned AGA has no objection.

5. 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.

6. 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, the proceedings of the aforesaid case is hereby quashed.

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

Order Date :- 21.11.2023

Junaid