

Court No. - 89

Case :- APPLICATION U/S 482 No. - 40395 of 2023

Applicant :- Amit Kumar And 2 Others

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

Counsel for Applicant :- Surendra Pratap Singh

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma,J.

1. Vakalatnama filed today by Sri Prashant Sharma, Advocate, on behalf of the opposite party no.2, is taken on record.

2. Heard learned counsel for the applicants, Sri Prashant Sharma, learned counsel for the opposite party no.2 and learned A.G.A. for the State.

3. The present 482 Cr.P.C. application has been filed to quash the summoning order dated 17.08.2022 as well as entire proceeding of Complaint Case No.12865 of 2022 (Pinki Vs. Amit Kumar and others), under Sections 498A, 323 I.P.C & 3/4 Dowry Prohibition Act, Police Station- Bharthana, District- Etawah, pending in the court of Additional Chief Judicial Magistrate, Court No.1, Etawah.

4. Learned counsel for the applicants submits that applicant no.1 is husband of opposite party no.2 and on some misconception, opposite party no.2 initiated proceeding against the applicant no.1 and his family members under aforesaid section. Now they have amicably settled their dispute out of the Court and they are living together. Copy of the compromise deed dated 04.10.2023 has been filed as Annexure -5 to the affidavit.

5. Learned counsel appearing for the opposite party no. 2 does not dispute the correctness of the fact.

6. Accordingly, it is provided that the parties shall appear before the court below along with a certified copy of this order and compromise deed on the next date fixed. It is, therefore, expected that the trial court may fix a date for the verification of the compromise entered into between the parties and pass an appropriate order to that effect within next four weeks. It shall be open to the applicant to file a fresh application U/S 482 at that stage for the relief sought herein.

7. In view of the above, the present application is **disposed of**.

8. For a period of five weeks, no coercive measure shall be taken against the applicants.

Order Date :- 2.11.2023

SKD