

Court No. - 87

Case :- APPLICATION U/S 482 No. - 40901 of 2023

Applicant :- Sanjay Kumar Tiwari

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

Counsel for Applicant :- Keshawa Prasad Pandey, Krishna Chandra Pandey

Counsel for Opposite Party :- G.A., Pankaj Baranwal

Hon'ble Neeraj Tiwari, J.

1. Heard learned counsel for the applicant, learned AGA and Sri Pankaj Baranwal, learned counsel for the opposite party no.2.

2. This application under Section 482 Cr.P.C. has been filed for quashing the entire proceeding of Criminal Case No. 1599 of 2007 (State Vs. Sanjay Tiwari), under Sections 498A, 323, 504, 506 IPC, Police Station Parshurampur, District Basti, pending in the court of FTC/CAW/ Judicial Magistrate, Basti.

3. Learned counsel for the applicant submitted that present matter relates to matrimonial dispute and now parties have entered into compromise and decided to live separately. He next submitted that earlier, applicant has filed Application U/S 482 No. 36356 of 2013, which was disposed with direction for verification of compromise deed. The said compromise has also been verified by the Trial Court on 04.10.2023. Lastly, he submitted that in light of compromise, present proceeding may be quashed.

4. Sri Pankaj Baranwal, learned counsel for the opposite party no.2 has not objected the aforesaid fact and submitted that in case proceedings is quashed, he would have 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 :- 24.11.2023

Arvind