

Court No. - 87

Case :- APPLICATION U/S 482 No. - 40220 of 2022

Applicant :- Phool Chandra And 4 Others

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

Counsel for Applicant :- Anil Kumar Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Neeraj Tiwari,J.

1. Heard learned counsel for the applicant and learned A.G.A. for the State.

2. The present 482 Cr.P.C. application has been filed to quash the order dated 25.05.2022 passed by Judicial Magistrate-I, Chitrakoot as well as entire proceedings of Complaint Case No.2460 of 2020 (Saroj Devi vs. Phool Chandra and others), under Sections 498A, 323 I.P.C. and Section 3/4 D.P. Act, Police Station Rajapur, District Chitrakoot.

3. Learned counsel for the applicants submits that the dispute between the parties is matrimonial in nature. This court vide order dated 10.01.2023 had referred the matter to the Mediation & Conciliation Centre of this Court where settlement agreement had arrived on 05.07.2023 between the parties, it is on record. The parties have amicably settled their dispute and further agreed to withdraw the cases going on between them. The said fact has been mentioned in para 7 of the settlement agreement dated 19.04.2023. Therefore, in light of mediation report, the present criminal proceeding against the applicants may be quashed.

4. Learned A.G.A. has also not disputed the aforesaid facts.

5. In view of the facts and circumstances of the case, 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.**

Order Date :- 1.12.2023

Amit/-