

Court No. - 87

Case :- APPLICATION U/S 482 No. - 44171 of 2023

Applicant :- Smt. Rajwati And 2 Others

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

Counsel for Applicant :- Gyanendra Prasad Mahant

Counsel for Opposite Party :- G.A.

Hon'ble Neeraj Tiwari,J.

1. Vakalatnama filed by Shri Akhilesh Kumar, Advocate on behalf of the opposite party No.2 is taken on record.

2. Heard learned counsel for the applicant, learned A.G.A. for the State and learned counsel for the opposite party No.2.

3. The present 482 Cr.P.C. application has been filed to quash the entire criminal proceedings of S.T. No.1224 of 2008 arising out of Case Crime No.415 of 2007, under Sections 147, 148, 149, 323, 504, 506, 452 and 307 I.P.C., Police Station-Massuri, District-Ghaziabad, on the basis of compromise.

4. Learned counsel for the applicant submitted that present case is arising out of matrimonial dispute. He next submitted that now parties have entered into compromise on 05.06.2023. He next submitted that applicant earlier approached this Court by filing Application (U/s 482 Cr.P.C.) No.26620 of 2023, which was disposed of vide order dated 08.08.2023 with direction for verification of the compromise deed. He next submitted that pursuant to order of this Court dated 08.08.2023, compromise has been verified by the trial Court vide order dated 16.10.2023. He next submitted that in light of compromise entered between the parties, criminal proceeding against the applicants may be quashed.

5. Learned counsel for the opposite party No. 2 has not objected the aforesaid facts and submitted that in case proceedings against the applicants is quashed, he would have no objection.

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

7. In view of the facts and circumstances of the case, the applicant and opposite party Nos. 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.

8. 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.

9. The present application is, accordingly **allowed**.

Order Date :- 11.12.2023

Amit/ADY