

Court No. - 92

Case :- APPLICATION U/S 482 No. - 44801 of 2023

Applicant :- Priyanka Pandey

Opposite Party :- State Of U.P. And 3 Others

Counsel for Applicant :- Kunwar Ajay Singh

Counsel for Opposite Party :- G.A.

Hon'ble Anish Kumar Gupta,J.

1. Heard Sri Kunwar Ajay Singh, learned counsel for applicant and Sri Prem Prakash Tiwari, learned AGA for State-respondents.

2. The instant application, under Section 482 Cr.P.C., has been filed seeking quashing of entire proceedings of Complaint Case No. 1281 of 2022, Priyanka Pandey v. Atul Tiwari and Others, under Sections 498A, 323, 504, 506 IPC and 3/4 DP Act, P.S. Barra, District Kanpur Nagar.

3. Learned counsel for the applicant submits that the applicant has filed an earlier application, under Section 482 No. 31065 of 2023, which was disposed of vide order dated 24.08.2023 directing the parties to appear before the trial court and submit verification of compromise. Learned counsel for the applicant further submits that in terms of the said compromise, parties had appeared before the trial court for verification of compromise and the trial court, vide order dated 3.11.2023, has verified the compromise between the parties.

4. Learned counsel for the applicant further submits that there was a matrimonial dispute between the parties and the Opposite Party No.2, wife and husband respectively and there was a matrimonial discard between them, which was been duly settled between the parties. Out of the said record, vide the compromise deed dated 12.05.2023 was executed, which has been verified by the trial court, vide order dated 3.11.2023, in terms of the order passed by this court earlier, in the application U/S 482 No. 31065 of 2023, filed by the applicant herein.

5. In view thereof, the applicant who is also complainant in the instant case has prayed for quashing of the entire proceedings against the Opposite Party Nos.2 and 4.

6. Having regard to the aforesaid facts and circumstances of the case, learned AGA for the State do not dispute the factum of

compromise between the parties and has no objection for quashing of the proceedings against the Opposite Party No. 2 and 4.

7. Having heard the submission made by the learned counsel for the parties and has carefully gone through the records of the case and on the aforesaid background of matrimonial disputes, which has been settled between the parties, and the compromise was executed, which is verified by the trial court concerned and the aforesaid settlement of dispute between two families and the incident alleged had no large social impact and the allegations made are trivial in nature, the instant application is **allowed** in view of the judgements of the Apex Court in **Gian Singh Vs. State of Punjab and another (2012) 10 SCC 303**, **Narinder Singh and others Vs. State of Punjab (2014) 6 SCC 466** and **Prabatbhai Aahir alias Prabatbhai Bhimsinghbhai Karmur and others Vs. State of Gujarat and another (2017) 9 SCC 641**, and the entire proceedings of the aforesaid criminal case are hereby **quashed**.

Order Date :- 8.12.2023

Akram