

Court No. - 12

Case :- CRIMINAL REVISION No. - 354 of 2021

Revisionist :- Munendra Singh

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

Counsel for Revisionist :- Suhail Kashif

Counsel for Opposite Party :- G.A., Dharmendra Kumar Trivedi

Hon'ble Rajeev Singh, J.

1. Vakalatnama filed by Mr. Deepak Kumar Pandey, Advocate on behalf of opposite party no.2 is taken on record.

2. On 28.04.2023 following order was passed:-

"1. Heard Sri Suhail Kashif, learned counsel for the revisionist, Sri Rajeev Kumar Verma, learned A.G.A. for the State, Sri Dharmendra Kumar Trivedi, learned counsel for opposite party No.2 and perused the entire record.

2. On 20.04.2023, this Court has passed the following order:-

"Heard Sri Suhail Kashif, learned counsel for the revisionist, Sri Dharmendra Kumar Trivedi, learned counsel for opposite party no.2 and Sri Anurag Verma, learned A.G.A. for the State.

Pursuant to order dated 13.03.2023, passed by this Court, the revisionist, Munendra Singh and opposite party no.2, Smt. Vandana Singh are present in person and they have been identified by their counsels.

Learned counsel of parties prays for and is granted a week's time to enable parties to settle their dispute finally and intimate the Court that Demand Draft pursuant to their settlement has been finally exchanged.

List this case on 28.04.2023. On which date, the revisionist as well as opposite party no.2 shall again appear in person before this Court. Interim order, if any, shall continue to operate till the next date of listing."

3. In deference to aforesaid order of this Court dated 20.04.2023, the revisionist, Munendra Singh and opposite party No.2, Smt. Bandana Singh, have appeared before this Court, who have been identified by their respective counsel. The parties after due consultation with their respective learned counsel again appeared in the Court and the revisionist has stated that today, he has handed over a D.D. bearing No.019694 for a sum of Rs.3,00,000/- (rupees three lacs), a copy of the same is available on record, as an amount payable in lieu of full and final settlement of cases apart from the instant case bearing Case No.1266 of 2014 titled as Vandana Singh vs. Munendar Singh and others, under Sections 498A, 323, 504, 506 I.P.C. & Sections 3/4 D.P. Act, Police Station Ram Nagar, District Barabanki, pending in the court of learned A.C.J.M., Court No.11, Barabanki as well as Case No.2474 of 2018 (New Case No.148 of 2021) titled as Vandana Singh vs. Munendra Singh and others, under Section 12 read with Section 18, 19, 20, 21, 22, 23 Domestic Violence Act, Police Station Ram Nagar, District Barabanki, pending in the court of learned A.C.J.M., Court No.43 and O.S. No.232 of 2016, under Section 13 Hindu Marriage Act, District Kannauj.

4. The opposite party No.2, Smt. Bandana Singh and Sri Dharmendra Kumar Trivedi, learned counsel for opposite party No.2 have accepted the fact that the opposite party No.2 received a D.D. for a sum of Rs.3,00,000/- (rupees three lacs) from the revisionist today. They also jointly submit that the present revisionist has to pay Rs.2,50,000/- (rupees two lacs and fifty thousand) apart from the aforesaid amount.

5. In view of above, learned counsel for the opposite party No.2 states and undertakes that before the next date of listing, the opposite party No.2 shall get the aforesaid three cases pending against the present revisionist decided, in accordance with law.

6. List this case in the week commencing 10.07.2023.

7. Interim order, if any, shall continue to operate till the next date of listing."

3. In compliance of previous order parties are present before this Court and they have been duly identified by their respective counsels.

4. Revisionist placed draft No. 019745 dated 29.09.2023, Indian Bank, Thathia, Kannauj, amounting Rs. 2,50,000/- (two lakhs fifty thousand) in favour of private respondent and he also informed that the issue was resolved in lieu of Rs. 5,50,000/- to be paid, Rs. 3,00,000/- has already been paid and rest of the amount is being paid in the form of aforesaid draft to the private respondent. Draft is handed over to the private respondent. Photocopy of the aforesaid draft is provided by the learned counsel for revisionist with this application.

5. Vandana Singh, private respondent conceded this fact that the issue has already been resolved and she has no objection in case the impugned proceedings are quashed.

6. Considering submission of rival parties as well as statement made by private respondent, as the issue has already been resolved between the parties, as Rs. 5,50,000/- has already been received by the private respondent, as she has no objection in case the present revision is allowed by quashing the impugned proceedings, accordingly, impugned proceedings are hereby quashed.

7. In terms of the aforesaid submissions, statement of the parties revision is allowed. Office is directed to communicate this order to the trial Court forthwith.

Order Date :- 12.10.2023/Vipul