

Court No. - 12

Case :- APPLICATION U/S 482 No. - 1176 of 2023

Applicant :- Pradeep Kumar Nigam And Others

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Deptt. Lko. And Another

Counsel for Applicant :- Ravindra Kumar Singh, Piyush Kumar Giri

Counsel for Opposite Party :- G.A., Ajeet Kumar Singh, Vishal Kumar Srivastava

Hon'ble Rajeev Singh, J.

1. In pursuance of earlier order, private respondent is present and submitted that the issue has already been resolved between the parties before the trial court on 26.05.2023. She further stated that Rs.6,50,000/- was already paid to her and rest of the amount i.e. Rs.6,50,000/- is being paid today by the applicants by way of a check bearing no.607033 dated 21.12.2023, State Bank of India, Lucknow Main Branch in the account bearing no.10863933917, therefore, she has no objection, in case, the impugned proceedings be quashed.

2. Heard learned counsel for the applicants, learned A.G.A. for the State and perused the record.

3. Present application has been moved by the applicants for quashing the entire proceedings including summoning order dated 23.05.2022 passed by Civil Judge (J.D.)/F.T.C., Court (Crime against Women), District- Lucknow in Case No.56890 of 2022 and charge sheet filed in Case Crime No.1 of 2021 U/S 498A, 504, 406 I.P.C. and Section 3/4 of D.P. Act, P.S. Mahila Thana, District- Lucknow.

4. Learned counsel for the applicants submitted that as the issue has already been resolved between the parties and disputed amount has already been paid to the private respondent, therefore, impugned proceedings may be quashed.

5. Learned A.G.A. opposed the prayer of applicants and submitted that after detailed investigation, charge sheet has been filed but he does not dispute this fact that the disputed amount has already been paid to the private respondent.

6. Considering the submissions of learned counsel for the parties, going through the contents of application, as well as other relevant documents, as the disputed amount has already paid to the private respondent, as the dispute between the

parties has already been resolved, therefore, prosecution in question will be futile one.

7. Accordingly, the application is **allowed** and the entire proceedings including summoning order dated 23.05.2022 passed by Civil Judge (J.D.)/F.T.C., Court (Crime against Women), District- Lucknow in Case No.56890 of 2022 and charge sheet filed in Case Crime No.1 of 2021 U/S 498A, 504, 406 I.P.C. and Section 3/4 of D.P. Act, P.S. Mahila Thana, District- Lucknow are hereby **quashed**.

Order Date :- 22.12.2023

V. Sinha