

Court No. - 28

Case :- APPLICATION U/S 482 No. - 4649 of 2023

Applicant :- Anita Sharma

Opposite Party :- State Of U.P. Thru. Addl. Chief Secy. Home
U.P. Civil Secrett. Lko. And Others

Counsel for Applicant :- Rajendra Prasad Tiwari, Shweta Singh

Counsel for Opposite Party :- G.A.

Hon'ble Shree Prakash Singh, J.

Heard Sri Rajendra Prasad Tiwari, learned counsel for the applicant, Ms. Anita Sharma, the applicant who is present in person, Sri Nirmal Pandey, learned A.G.A. for the State and perused the material placed on record.

Instant application has been filed with prayer to quash the proceedings of Case No. 7208 of 2016 arising out of Case Crime No. 245 of 2013, under Sections 498-A, 323, 504 of IPC and 3/4 of D.P. Act, lodged at P.S.- Mahila Thana, Distt. Lucknow pending in the Court of Additional Chief Judicial Magistrate (J.D.) F.T.C. (Crime against Women), Court No. 50, Lucknow as well as to quash the judgement and order dated 01.12.2022 which was passed by the learned Court below.

Learned counsel appearing for the applicants submits that vide order dated 11.05.2023, the matter was referred to the Mediation and Conciliation Centre of this Court, wherein, both the parties appeared and they have settled their dispute amicably. He next added that the settlement agreement has also been executed between the parties and all the parties signed over there.

Adding his argument he submits that now there is no dispute in between the parties and further criminal proceedings would be futile exercise and amount to harassment of the applicant and thus, submission is that the criminal proceedings against the present applicant may be quashed.

On query being asked to the opposite party no. 2, who appears in person, she replied that they have settled their dispute amicably before the Mediation Center and the terms and conditions have been reduced in writing as settlement agreement dated 21.07.2023.

Learned counsel for the State has no objection to the

submissions aforesaid.

Considering the submissions of learned counsels for the parties, it transpires that there was certain dispute in between the present applicants and opposite party no. 2, thereafter, they sat together and have settled their dispute before the Mediation and Conciliation Centre and that too has been reduced in writing as settlement agreement dated 21.07.2023.

This Court further noticed the fact that the Mediation Center has also sent its report dated 21.07.2023 whereby it has been reported that Mediation is successful and completed.

A copy of the settlement agreement dated 21.07.2023 has also been enclosed along with the report of the Mediator.

Resultantly, the criminal proceedings of Case No. 7208 of 2016 arising out of Case Crime No. 245 of 2013, under Sections 498-A, 323, 504 of IPC and 3/4 of D.P. Act, lodged at P.S.- Mahila Thana, Distt. Lucknow pending in the Court of Additional Chief Judicial Magistrate (J.D.) F.T.C. (Crime against Women), Court No. 50, Lucknow are hereby quashed.

The settlement agreement dated 21.07.2023 shall be the part of this order.

Consequences to be followed.

The application is allowed accordingly.

Consigned to record.

Order Date :- 1.11.2023

Anurag