

Court No. - 21

Case :- APPLICATION U/S 482 No. - 3616 of 2023

Applicant :- Praveen Tripathi And 3 Others

Opposite Party :- State Of U.P. Thru. Addl. Chief Secy. (Home)/ Prin. Secy. (Home), Lko. And Another

Counsel for Applicant :- Komal Prasad Tiwari,Pushkal Shukla

Counsel for Opposite Party :- G.A.,Ashish Kumar Pandey

Hon'ble Neeraj Tiwari,J.

1. Heard learned counsel for the applicants, Shri Susheel Kumar Pandey, learned AGA and Shri Faiyaz Malik, holding brief of Shri Ashish Kumar Pandey, learned counsel for the opposite party no.2.
2. The present application under section 482 Cr.P.C. has been filed for quashing the impugned entire proceedings of Criminal Case No.7298 of 2023 of Charge sheet No.01, dated 15.07.2022 arising out of FIR No.0019/2022, under Sections 498-A, 323, 504, 354 IPC and 3/4 Dowry Prohibition Act at Police Station - Vibhuti Khand, District - Lucknow and also impugned cognizance order dated 01.02.2023 passed by learned Chief Judicial Magistrate, Lucknow.
3. Learned counsel for the applicants submitted that present matter relates to matrimonial dispute and compromise has been entered between the parties and decided to live separately. It is lastly submitted that in light of compromise deed, present proceeding may be quashed.
4. Shri Faiyaz Malik, holding brief of Shri Ashish Kumar Pandey, learned counsel for the opposite party no.2 has not objected the aforesaid fact and submitted that in case proceeding is quashed, he would have no objection.
5. In view of above, the applicants and opposite party no. 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.
6. 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.

7. The present application is, accordingly **allowed**. No order as to costs.

Order Date :- 26.10.2023

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