

Court No. - 9

Case :- APPLICATION U/S 482 No. - 6092 of 2023

Applicant :- Mohd. Akram And 2 Others

Opposite Party :- State Of U.P. Thru. Prin. Secy. Deptt. Of Home,
Govt. Of U.P. Civil Sectt. Lko. And 2 Others

Counsel for Applicant :- Raj Nath Singh,Arbab Hussain Zaidi,Parush
Kumar Saxena,Prateek Tewari

Counsel for Opposite Party :- G.A.

Hon'ble Dinesh Kumar Singh,J.

1. Heard learned counsel for the applicants and learned A.G.A. for the State.
2. The present application under Section 482 Cr.P.C. has been filed seeking quashing of the entire proceedings of Case No.88511/2022 arising out of F.I.R. No.675 of 2021 pending before the learned Additional Chief Judicial Magistrate (C.B.I./AP), Lucknow and impugned charge-sheet No.01 dated 04.08.2022 under Sections 498A/323/354/504/506 I.P.C. and Section 3/4 Dowry Prohibition Act arising out of First Information Report No.675 of 2021 dated 31.10.2021, and its corresponding summoning order dated 09.09.2022 passed by the Court of learned Additional Chief Judicial Magistrate (C.B.I./AP), Lucknow.
3. Opposite party No.3-Nida Fatima and petitioner No.1-Mohd. Akram are present before this Court and are identified by their respective counsels.
4. Learned counsels for the parties submits that the parties have settled their dispute amicably outside the Court and they have arrived at the compromise. Compromise entered into between the parties dated 16.06.2023 have been placed on record as **Annexure-5** to the application. The parties have confirmed the terms of the compromise.
5. I have considered the submissions of learned counsel for the

parties.

6. Considering the ratio laid down by the Supreme Court in the cases of **B. S. Joshi and others** versus **State of Haryana and another** : (2003) 4 SCC 675, **Nikhil Merchant** versus **C.B.I. and another** : (2008) 9 SCC 677, **Manoj Sharma** versus **State and others** : (2008) 16 SCC 1, **Gian Singh** versus **Station of Punjab**: (2010) 15 SCC 118 and **Narinder Singh and others** versus **State of Punjab and another**: (2014) 6 SCC 466, it would be appropriate in the facts and circumstances of the case to quash the criminal proceedings as continuance of the proceedings in pursuance of the criminal proceedings would be an exercise in futility.

7. In view of the fact that the parties have settled their dispute outside the Court by way of compromise arrived at between the parties and law laid down by the Supreme Court of India, the present application is **allowed** and proceedings of Case No.88511/2022 arising out of F.I.R. No.675 of 2021 pending before the learned Additional Chief Judicial Magistrate (C.B.I./AP), Lucknow and impugned charge-sheet No.01 dated 04.08.2022 under Sections 498A/323/354/504/506 I.P.C. and Section 3/4 Dowry Prohibition Act arising out of First Information Report No.675 of 2021 dated 31.10.2021, and its corresponding summoning order dated 09.09.2022 passed by the Court of learned Additional Chief Judicial Magistrate (C.B.I./AP), Lucknow are hereby **quashed**.

(Dinesh Kumar Singh, J.)

Order Date :- 23.6.2023

Piyush/-