

Court No. - 12

Case :- APPLICATION U/S 482 No. - 8630 of 2023

Applicant :- Brijesh Kumar And Another

Opposite Party :- State Of U.P. Thru. Secy. Home Civil Sectt. Lko. And Another

Counsel for Applicant :- Kripa Shankar Shukla

Counsel for Opposite Party :- G.A.,Mithun Yadav,Syed Asaghar Mehdi

Hon'ble Rajeev 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. is filed with the prayer to quash the proceeding of Case Crime No.132/2022 under Section 498-A, 323, 504 I.P.C. and Section 3/4 D.P. Act, Police Station Cantt, District Lucknow.
3. In pursuance of earlier order, applicant no.1 and private respondent are present and they have been duly identified by their respective counsels.
4. Private respondent inform that she is residing with her husband since 10.10.2023 and she is having no grievance and now enjoying her matrimonial life. She also requested to quash the impugned proceeding.
5. Learned counsel for the applicants has submitted that marriage of the applicant no.1 was solemnized with the private respondent on 20.11.2019 and out of their wedlock, son was born but due to some trivial issues, F.I.R. in question was lodged. He next submitted that issue has already been resolved and private respondent is residing with the applicant alongwith their child, therefore, impugned proceeding may be quashed.
6. Learned A.G.A. have no objection, in case, impugned proceeding is quashed as the same is arisen out of matrimonial dispute.
7. Considering the submissions of learned counsel

for the parties, going through the record as well as statement of the private respondent, it is evident that private respondent is now residing with the applicant alongwith her child, therefore, trial of the case in question is futile one, in such circumstances, the impugned proceeding is liable to be quashed.

8. In view of the above, the present application under Section 482 Cr.P.C. is **allowed** and the proceeding of Case Crime No.132/2022 under Section 498-A, 323, 504 I.P.C. and Section 3/4 D.P. Act, Police Station Cantt, District Lucknow is quashed.

9. The amount of Rs.25,000/- deposited by the applicant no.1 before the Senior Registrar of this Court be remitted to him, forthwith.

Order Date :- 19.10.2023

Gaurav/-