

**Court No. - 11**

**Case :-** APPLICATION U/S 482 No. - 9045 of 2023

**Applicant :-** Neeraj Kumar Rawat And Another

**Opposite Party :-** State Of U.P. Thru. Prin. Secy. Home, Civil  
Secrty. Lko. And Another

**Counsel for Applicant :-** Siddhant Mishra, Aman  
Shankar, Apoorva Jyoti

**Counsel for Opposite Party :-** G.A., Rajendra Prasad, Vivek  
Kumar

**Hon'ble Saurabh Lavania, J.**

Heard learned counsel for the applicants, learned AGA for the State and perused the record.

The present application has been filed with the following prayer:-

*'It is, therefore, most respectfully prayed that this Hon'ble Court may very graciously be pleased to allow the present application in the interest of justice and this Hon'ble Court may further be pleased to quash the summoning order dated 22.05.2023 by which the petitioner has been summoned by the learned Civil Judge (Junior Division), Court No.50 Lucknow and Charge Sheet dated 04-03-2020 bearing No.01/2020 Police Station- Mahila Thana, District-Lucknow as well as entire Criminal Proceeding Case No.29756 of 2020 (State Versus Neeraj Kumar Rawat and Others) arising out of Case Crime No.192 of 2019 under Section 498-A, 323, 504, 506 of Indian Penal Code, and 3/4 of Dowry Prohibition Act which is still pending before the learned Civil Judge (Junior Division)/FTC, Court No.50 Lucknow, (Annexure No.1 and 2).'*

Learned counsel for the applicants submitted that both the parties have amicably settled their dispute outside the Court and have entered into a compromise and in term of the same a suit under Section 13 B of Hindu Marriage Act, 1955 has already been filed, a certified copy of the same is annexed as Annexure No. 4 to the present application. As such, keeping in view the settlement arrived at between the parties and the law laid down by the Hon'ble Apex Court in this regard, the proceedings impugned are liable to be quashed.

Whether the parties have, in fact, compromised the matter or not, can best be ascertained by the Trial Court as such compromise has to be duly verified in presence of the parties concerned before the Court.

Considering the aforesaid, this application is disposed of finally

in following terms:-

(i) The parties to the proceedings i.e. Criminal Case No. 29756 of 2020, (State Versus Neeraj Kumar Rawat and Others), shall appear and file the compromise before the concerned Court within two week's from today.

(ii) If the parties appear before the concerned Court in terms of above, the concerned Court shall proceed to verify the compromise between the parties to the proceedings and prepare a report to the same effect and the original compromise deed be made part of record.

(iii) The concerned Court shall conclude the process of verification of compromise within two week's from the date of production of copy of this order.

(iv) The concerned Court shall permit the parties to the proceedings to obtain the certified copy of the report as well as compromise deed.

(v) It shall be open to the applicants to approach this Court again for quashing of the proceedings.

(vi) For a period of six weeks, no coercive action shall be taken against the applicants in the aforesaid case.

**Order Date :- 24.11.2023**

Raj