

Court No. - 12

Case :- APPLICATION U/S 482 No. - 9502 of 2023

Applicant :- Vineet Arora

**Opposite Party :- State Of U.P. Thru. Prin. Secy. Deptt. Home, Lucknow
And Another**

Counsel for Applicant :- Amar Nath Dubey, Anil Kumar Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Rajeev Singh, J.

1. Vakalatnama filed by Shri Pramod Kumar Singh, Advocate on behalf of respondent no. 2 is taken on record.

2. On 04.10.2023, following order was passed.

"1. Heard learned counsel for the applicant 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 Criminal Misc. Case No.264/2022, arising out of Case Crime No.47/2018, under Sections 498-A, 504, 506 I.P.C. and Section 3/4 D.P. Act, Police Station Mahila Thana, District Sultanpur.

3. Learned counsel for the applicant submits that marriage of the applicant was solemnized with the private respondent on 20.1.2017 but due to some trivial issues, private respondent left the house of the applicant and lodged F.I.R. in question and petition under Section 13 of Hindu Marriage Act was filed, in which, a compromise dated 9.1.2020 was filed but another F.I.R.No.613/2020 was lodged on 9.10.2020 at Police Station Kareli, Prayagraj, in the meantime, charge-sheet was filed by the Investigating Officer in the present case. He further submits that there is a possibility of settlement in case matter is sent to the mediation center of this Court.

4. Learned A.G.A. opposed the prayer of the applicant but he does not dispute this fact that the case in question is a result of matrimonial dispute.

5. Considering the submissions of learned counsel for the parties, going through the contents of the application as well as other relevant documents, as the prosecution case is a result of matrimonial dispute, therefore, possibility of settlement cannot be ruled out. Matter requires consideration.

6. Issue notice to the private respondent.

7. List this case on 20.11.2023.

8. On the next date, applicant as well as private respondent shall appear before this Court.

9. Till the next date, no coercive action shall be taken against the applicant.

10. The applicant is directed to deposit the amount of Rs.25,000/- before Senior Registrar of this Court within ten days from today.

11. In case, the aforesaid amount is not deposited by the applicant, then interim protection will not be available to the applicant."

3. Shri A.N. Dubey and Shri Anil Kumar Yadav, learned counsel appearing for the applicant informs that the applicant is not in their contact. It is also informed that in pursuance of the earlier order, Rs.25,000/- was also not deposited.

4. In view of above facts and circumstances, this Court is of the view that the applicant, after obtaining interim protection, has flouted the order of this Court.

5. The application is liable to be dismissed and is hereby dismissed. Interim order is hereby vacated.

6. Office is directed to communicate this order to the court below, forthwith.

7. Trial court is also directed to proceed with the matter in accordance with law.

Order Date :- 20.11.2023

VKS