

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9104 of 2023

Petitioner :- Baburam And Others

Respondent :- State Of U.P. Thru. Prin. Secy. Home, U.P. Lucknow And Others

Counsel for Petitioner :- Sandeep Kumar Pandey

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

Heard learned counsel for the petitioners, learned A.G.A. for the State/respondents and Shri Vaibhav Dwivedi, learned counsel for the private respondent who has filed his Vakalatnama which is kept on record.

This writ petition has been filed with the following main prayers :-

"(a) Issue a writ, order or direction in the nature of Certiorari quashing the First Information Report dated 11.10.2023 in Case Crime No.0553/2023, under Sections 498-A, 323, 504, 506, 427 IPC & Section 3/4 D.P. Act, P.S. Kotwali Dehat, District - Gonda, on the basis of compromise (The copy of FIR, as contained in Annexure No.1, to this writ petition).

(b) Issue a writ, order or direction in the nature of Mandamus commanding and directing the opposite party no.1 to 3 not to arrest the Petitioners in pursuance of first information report dated 10.10.2023 in Case Crime No.0553/2023, Under Section 498-A, 323, 504, 506, 427 IPC & Section 3/4 D.P. Act, P.S. Kotwali Dehat, District - Gonda, as contained in Annexure No.1, to this writ petition."

It has been submitted by learned counsel for the petitioners that the dispute is matrimonial in nature, a compromise has occurred between the parties due to intervention of the family and friends. A copy of such compromise has been filed as Annexure No.4 to the writ petition. Learned counsel for the private respondent does not dispute the said argument made by learned counsel for the petitioners.

This Court has perused the copy of the compromise, Annexure No.4.

The writ petition is **disposed of** with the direction to the petitioners and the opposite party No.4 to approach the opposite party No.3 who shall look into the matter and then submit a report to the court concerned under Section 173 Cr.P.C.

Order Date :- 29.11.2023

ML/-