

Court No. - 12

Case :- APPLICATION U/S 482 No. - 11765 of 2023

Applicant :- Aruna Arora And 6 Others

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home, U.P. Lucknow
And 2 Others

Counsel for Applicant :- Gulshan Batra

Counsel for Opposite Party :- G.A.,Arvind Tripathi

Hon'ble Rajeev Singh,J.

1. Supplementary affidavit filed by learned counsel for the applicant is taken on record.
2. The present application has been filed for quashing of the entire proceedings of Case No.7233 of 2020 under Sections 323, 504, 506 I.P.C. Police Station Alambagh, Lucknow.
3. In pursuance of earlier order, applicant no.1, Aruna Arora (Aadhar No.474364347415), Yogesh Tondon, husband of the applicant no.1 (Aadhar No.239044666930) and private respondent, Sulakshna Tondan (Aadhar No.805145536052) are present before this Court.
4. Applicant no.1 stated in the supplementary affidavit that F.I.R. 0223/2019 under Section 313, 323, 341, 406, 498-A I.P.C. was lodged in Police Station Mahila Thana, Faridabad and she does not want to pursue the aforesaid case and withdraw the same within two weeks from today. She also stated that one petition under Section 125 Cr.P.C. bearing Case No.518/2021 (Aruna Arora Vs. Yogesh Tondan) is pending before the Additional Principal Judge, Family Court-II, Faridabad.
5. Applicant no.1 as well as Yogesh Tondan jointly requested that they will file petition under Section 13-B of Hindu Marriage Act.
6. Learned counsel for the applicant has submitted that prosecution in question is arisen due to some matrimonial dispute, as the parties are agree to withdraw all the cases lodged against each other, therefore, the impugned proceeding may be

quashed.

7. Private respondent has no objection, in case, the impugned proceeding is quashed and also conceded this fact that parties are willing to settle the dispute by way of filing petition under Section 13-B of Hindu Marriage Act.

8. Considering the submissions of learned counsel for the parties, going through the record, supplementary affidavit as well as other relevant documents, as the applicant no.1 filed supplementary affidavit and given undertaking that she will withdraw cases as mentioned above and file petition under Section 13-B of Hindu Marriage Act within one month, in such circumstances, the impugned proceeding is a futile exercise and is liable to be quashed.

9. In view of the above, the present application under Section 482 Cr.P.C. is allowed and the impugned proceeding is quashed.

10. The applicant is directed to file withdrawal application within two weeks from today.

Order Date :- 14.12.2023

Gaurav/-