

Court No. - 12

Case :- APPLICATION U/S 482 No. - 12092 of 2023

Applicant :- Dinesh Kumar Verma And Others

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

Counsel for Applicant :- Jay Kumar Soni, Madhavesh
Mishra, Pawan Kumar Mishra

Counsel for Opposite Party :- G.A., Pawan Kumar Misra

Hon'ble Rajeev Singh, J.

1. In pursuance of earlier order, parties are present and they have been duly identified by their counsel. Private respondent stated that marriage of her daughter/victim has already been solemnized with someone else and she is enjoying her matrimonial life in United States of America and neither her daughter nor he is interested in pursuing this case, therefore, impugned proceedings may be quashed.

2. Heard learned counsel for the applicants, learned A.G.A. for the State and perused the record.

3. Present application has been moved by the applicants for quashing entire criminal proceedings of Criminal Case No.613/2017 as well as charge sheet dated 10.06.2017 arising out of Case Crime No.257/2017 under Sections 419/420/467/468/342/354A/120-B I.P.C. and Section 65/68 of I.T. (Amendment) Act, 2008 P.S.- Kotwali, District- Raebareli

4. Learned counsel for the applicants submitted that there was friendship between applicant no.1 and daughter of private respondent and due to some misunderstanding, F.I.R. of case in question was lodged and charge sheet was submitted by the Investigating Officer and during the pendency of the trial of the case in question, marriage of victim was solemnized with someone else and she is enjoying her matrimonial life in United States of America. He further submitted that in the year of 2012, after ailment, applicant no.1 suffered from 80% locomotive disability and the F.I.R. was lodged in the year of 2017. He further submitted that the dispute between the parties has already been settled by way of a compromise dated 06.12.2023, therefore, impugned proceedings may be quashed

5. Learned A.G.A. had opposed the prayer of applicants and submitted that after detailed investigation, charge sheet has been submitted but he does not dispute this fact that marriage of

victim has already been solemnized with someone else and she is enjoying her matrimonial life in United States of America.

6. Considering the submissions of learned counsel for the parties, going through the contents of application, compromise dated 06.12.2023, as well as other relevant documents, as due to some ailment, the applicant no.1 is 80% disabled since 2012, as the marriage of victim has already been solemnized with someone else and she is enjoying her matrimonial life in United States of America, as neither private respondent nor victim is interested in pursuing this case, therefore, prosecution in question will be futile one.

7. Accordingly, the application is **allowed** and the entire criminal proceedings of Criminal Case No.613/2017 as well as charge sheet dated 10.06.2017 arising out of Case Crime No.257/2017 under Sections 419/420/467/468/342/354A/120-B I.P.C. and Section 65/68 of I.T. (Amendment) Act, 2008 P.S.- Kotwali, District- Raebareli are hereby **quashed** in terms of compromise dated 06.12.2023 and statement of private respondent given before this Court today.

8. Office is directed to communicate this order to the trial court.

Order Date :- 20.12.2023

V. Sinha