

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9582 of 2023

Petitioner :- Aadarsh Tiwari And Others

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

Counsel for Petitioner :- Deepak Kumar, Neeraj Kumar

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

(1) Heard the learned counsel for the petitioners and the learned A.G.A. who appears for the Opposite party nos.1, 2 & 3.

(2) This petition has been filed by the petitioners for the following main prayer:-

"1) Issue a writ, order or direction in the nature of Certiorari for quashing the impugned First Information Report dated 05.11.2023 lodged by the Opposite party No.4 as F.I.R. No.0762/2023, under Sections 498-A, 323, 313, 354, 506 I.P.C. and Section 3/4 Dowry Prohibition Act, 1961 which is registered in the Police Station Thakurganj, Lucknow West (Commissionerate Lucknow, District Lucknow, on the basis of compromise/ settlement agreement between both the parties contained as Annexure No.1 in the interest of justice."

(3) It has been submitted by the learned counsel for the petitioner that the Petitioner no.1- Aadarsh Tiwari, got married to the Opposite party no.4-Rakhi Mishra, and there was a matrimonial dispute which has resulted in the lodging of the impugned F.I.R. It has been submitted that there is a compromise that has occurred between the Petitioner no.1 and the Opposite party no.4, a copy of which has been filed as Annexure No.3 to the writ petition.

(4) Dr. Surendra Kumar Mishra, Advocate, has filed his Power on behalf of the Opposite party no.4 but he has not disputed the contention made by the learned counsel for the petitioners.

(5) The writ petition is **disposed of** with a direction to the

petitioners and the respondent to approach the Investigating Officer concerned alongwith the compromise allegedly signed between the parties. The Investigating Officer shall verify the compromise and then proceed strictly in accordance with law.

(6) Registry is directed to return the original compromise after retaining the photocopy of the same on record.

Order Date :- 18.12.2023

N.PAL