

Court No. - 11

Case :- APPLICATION U/S 482 No. - 12640 of 2023

Applicant :- Anuj And 8 Others

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

Counsel for Applicant :- Lalit Mohan Joshi

Counsel for Opposite Party :- G.A.

Hon'ble Saurabh Lavania,J.

Heard learned counsel for the applicants, learned AGA for the State and perused the record.

Instant application under Section 482 Cr.P.C. has been preferred by the applicants for quashing the entire criminal proceedings of FIR dated 11.01.2023 in Case Crime No. 006/2023, under Sections 498A/323/504/506 IPC and 3/4 Dowry Prohibition Act, Police Station Nigoha District Lucknow and summoning order dated 01.08.2023 passed by the Additional Chief Judicial Magistrate-I, Court No.25, District Lucknow.

Learned counsel for the applicant submitted that both the parties have amicably settled their dispute outside the Court and have entered into a compromise. As such, keeping in view the settlement arrived at between the parties and the law laid down by the Hon'ble Apex Court in this regard, the proceedings impugned are liable to be quashed.

Whether the parties have, in fact, compromised the matter or not, can best be ascertained by the Trial Court as such compromise has to be duly verified in presence of the parties concerned before the Court.

Considering the aforesaid, this application is ***disposed of*** finally in following terms:-

(i) The parties to the proceedings i.e. Case Crime No. 006/2023, under Sections 498A/323/504/506 IPC and 3/4 Dowry Prohibition Act, Police Station Nigoha District Lucknow, shall appear before the concerned Court within two week's from today.

(ii) If the parties appear before the concerned Court in terms of above, the concerned Court shall proceed to verify the compromise between the parties to the proceedings and prepare a report to the same effect and the original compromise deed be made part of record.

(iii) The concerned Court shall conclude the process of verification of compromise within two week's from the date of production of copy of this order.

(iv) The concerned Court shall permit the parties to the proceedings to obtain the certified copy of the report as well as compromise deed.

(v) It shall be open to the applicants to approach this Court again for quashing of the proceedings.

(vi) For a period of six weeks, no coercive action shall be taken against the applicant in the aforesaid case

Order Date :- 22.12.2023/Jyoti/-