

Court No. - 11

Case :- APPLICATION U/S 482 No. - 12614 of 2023

Applicant :- Neeraj Kumar Rawat And Another

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

Counsel for Applicant :- Siddhant Mishra, Aman Shankar, Apoorva Jyoti

Counsel for Opposite Party :- G.A.

Hon'ble Saurabh Lavania, J.

Heard learned counsel for the applicants, learned AGA for the State of U.P. and gone through the record.

The present application under Section 482 Cr.P.C. has been filed seeking following main reliefs:-

"It is, therefore, most respectfully prayed that this Hon'ble Court may very graciously be pleased to allow the present application in the interest of justice and this Hon'ble Court may further be pleased to quash the FIR by which the petitioner has been summoned by the learned Civil Judge (Junior Division), Court No.50 Lucknow and Charge Sheet dated 04-03-2020 bearing No.01/2020 Police Station-Mahila Thana, District-Lucknow as well as entire Criminal Proceeding Case No.29756 of 2020 (State Versus Neeraj Kumar Rawat and Others) arising out of Case Crime No.192 of 2019 under Section 498-A,323,504,506 of Indian Penal Code, and 3/4 of Dowry Prohibition Act which is still pending before the learned Civil Judge (Junior Division)/FTC, Court No.50 Lucknow, (Annexure No. 1 and 2).

It is further prayed that this Hon'ble Court may very graciously be pleased to stay the operation and implementation of the Criminal proceeding of Case No. 29756 of 2020 (State Versus Neeraj Kumar Rawat and Others) arising out of Case Crime Case No.192 of 2019 under Section 498-A,323,504,506 of Indian Penal Code, and 3/4 of Dowry Prohibition Act which is still pending before the learned Civil Judge (Junior Division)/FTC, Court No.50 Lucknow during pendency of the present 482 Petition."

It appears that after considering the averments made in the Application U/S 482 Cr.P.C. No. 9045 of 2023 and the documents in support thereof as also the submissions made by the learned counsel for the applicant, this Court vide order dated 24.11.2023 referred the matter to the concerned court for the purpose of verification of the compromise entered into between the parties.

It appears from the order dated 06.12.2023 (Annexure No. 6) that the Civil Judge (J.D.), FTC, Crime Against Women, Lucknow has verified the compromise, mentioning therein that the parties were present and they have

admitted that they have entered into an agreement voluntarily and their signatures have been verified by their respective counsels before the court.

For the relief(s) sought, on the basis of compromise, the learned counsel for the applicants has placed reliance on the judgments of the Apex Court in the case of *Romgopal and others Vs. State of Madhya Pradesh*, 2022 (1) SCJ 536, *Gian Singh Vs. State of Punjab* [2012 10 SCC 303], *Mohd. Ibrahim Vs. State of U.P.*, 2022 SCC Online ALL 106, *Gold Quest International Ltd. Vs. State of Tamilnadu*, 2014 (15) SCC 235, *B.S. Joshi Vs. State of Haryana*, 2003 (4) SCC 675, *Jitendra Raghuvanshi Vs. Babita Raghuvanshi*, 2013(4) SCC 58, *Madhavarao Jiwajirao Scindia Vs. Sambhajirao Chandrojirao Angre*, 1988 1 SCC 692, *Nikhil Merchant Vs. C.B.I. and another*, 2008(9) SCC 677, *Manoj Sharma Vs. State and others*, 2008(16) SCC 1, *State of M.P. Vs. Laxmi Narayan and others*, 2019(5) SCC 688, *Narindra Singh and others Vs. State of Punjab and another*, (2014) 6 SCC 466, *Manoj Kumar and others Vs. State of U.P and others* (2008) 8 SCC 781, *Union Carbide Corporation and others Vs. Union of India and others* (1991) 4 SCC 584, *Manohar Lal Sharma Vs. Principal Secretary and others* (2014) 2 SCC 532 and *Supreme Court Bar Association Vs. Union of India* (1998) 4 SCC 409.

Learned Additional Government Advocate could not dispute the fact that the compromise has been entered into between the parties and now the opposite party no. 2 does not want to proceed with the proceedings in issue.

Considering the submissions advanced by learned counsel for the parties and perusing the order of trial Court dated 06.12.2023 as also taking note of the observations made by Hon'ble Apex Court in the judgments, referred above, and the nature of dispute/crime, which is essentially matrimonial in nature, this Court is of the view that no purpose would be served in keeping the proceedings pending before the trial court and hence, entire proceedings, in issue, are hereby quashed in terms of the compromise.

Accordingly, the present application U/S 482 Cr.P.C. is **allowed** in above terms.

Office/Registry is directed to send the copy of this order to concerned Court forthwith.

Order Date :- 22.12.2023

Arun/-