

Court No. - 13

Case :- APPLICATION U/S 482 No. - 10161 of 2024

Applicant :- Aftab Alam And 7 Others

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Ashok Kumar, Chandra
Prakash, Susheel Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Rajeev Singh, J.

1. On 26.11.2024, following order was passed:

"1. Heard learned counsel for the applicants and learned A.G.A. for the State.

2. The present application is filed with the prayer to quash the proceeding of Case No.11590 of 2022, arising out of Case Crime No.604/2021 under Sections 498-A, 504, 506 I.P.C. & Section 3/4 D.P. Act, Police Station Gola, District - Lakhimpur Kheri.

3. Learned counsel for the applicants submits that sole basis of the prosecution case is matrimonial dispute and there is a possibility of settlement, in case, matter is sent to the mediation center of this Court.

4. Learned A.G.A. opposed the prayer of the applicant but he does not dispute this fact that genesis of the prosecution case is matrimonial dispute.

5. Considering the submissions of learned counsel for the parties, going through the contents of the application as well as other relevant documents, prosecution case is based on matrimonial dispute, therefore, possibility of settlement cannot be ruled out.

6. Issue notice to the private respondent.

7. List this case on 19.12.2024 at 11:30 A.M.

8. Till the next date of listing, no coercive action shall be taken against the applicants.

9. On the next date, applicant no.1 as well as complainant & victim of the present case shall present before this Court.

10. The S.H.O., Police Station Gola, District Lakhimpur Kheri is directed to ensure the presence of complainant and victim of the present case, before this Court.

11. Applicant is further directed to deposit Rs.10,000/- before the Senior Registrar of this Court within a period of one week from today. In case, the aforesaid amount is not deposited, then protection will not be available to the applicants. "

2. In pursuance of earlier order, victim of the case in question is present along with SI- Yogesh Kumar and Lady Constable Sugam Sharma, PS- Gola, District- Kheri.

3. It is evident from the record that order dated 26.11.2024 has not been complied with the applicants by depositing the amount as ordered. Therefore, applicants are not entitled for any relief.

4. Accordingly, the present application is hereby **dismissed**.

5. Presence of officers is hereby dispensed with.

Order Date :- 19.12.2024

V. Sinha