2026:AHC:190411

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 482 No. - 46950 of 2023

Arvind Pateriya And 2 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s) : Om Prakash
Counsel for Opposite Party(s) : Ashwani Kumar Mishra, G.A., Sanjay Kumar Dubey

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Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Heard learned counsel for the applicants, Sri V.P. Tripathi, learned A.G.A. for the State and Sri Ashwani Kumar Mishra, counsel for the opposite party no.2.

2. The present application under Section 482 Cr.P.C. has been filed with the prayer to quash the charge-sheet dated 5.6.2019 and cognizance order dated 13.8.2019 as well as entire criminal proceedings in Criminal Case No. 2224 of 2020 arising out of Case Crime No. 08 of 2019, under Sections 498A, 494, 323, 504, 506 I.P.C. and 3/4 D.P. Act, P.S. Navabad, District Jhansi, pending in the court of Chief Judicial Magistrate, Jhansi.

3. Learned counsel for the applicants submits that:-

(i) the dispute arises out of matrimonial discord between the applicant no.1 and the opposite party no. 2. The applicant no.2 is the mother-in-law and applicant no.3 is the father-in-law of opposite party no.2;

(ii) the first information came to be lodged by the opposite party no. 2 owing to some misunderstanding and misgivings between the parties and not on account of any real occurrence as alleged;

(iii) there never was any criminal intent on part of the applicants nor any criminal offence as alleged had ever occurred;

(iv) there is no injury caused to any party and wholly exaggerated allegations

had been made in the heat of the moment owing to estranged relationship and bruised egos;

(v) therefore, in such changed circumstances, the opposite party no. 2 does not wish to press charges against the applicants.

4. It is further submitted that the parties have filed a compromise deed before the court concerned. Pursuant to the order dated 18.8.2026 passed by this Court, the parties appeared before the trial court, whereupon the compromise was duly verified by the trial court vide order dated 1.9.2026. Copy of the verification order has been sent to this Court by the court concerned vide letter dated 2.9.2026.

5. It is submitted by the counsel for the applicants that if the criminal prosecution is allowed to proceed it may create further complication in the otherwise normal relationship that is arising between the hitherto bitterly estranged couple and their families.

6. Counsel for the opposite party no. 2 does not dispute the submissions advanced by the counsel for the applicants or the correctness of the documents relied upon by him. He submits that the opposite party no.2 has no objection if the proceedings of the aforesaid case are quashed.

7. In view of the fact that the dispute appears to be purely of a personal nature being a matrimonial dispute that has been mutually settled between the parties, to their satisfaction, no useful purpose would be served in allowing such a prosecution to proceed any further.

8. Thus, in view of the well settled principles of law as laid down by the Hon'ble Apex Court in **B.S. Joshi v. State of Haryana, 2003(4) SCC 675**, as well as **Nikhil Merchant v. Central Bureau of Investigation and another, J.T., 2008 (9) SC 192**, the proceedings of the aforesaid case are hereby set aside.

9. The present application is, accordingly, allowed.

(Vivek Varma,J.)

September 11, 2026
S.S.

Digitally signed by :-
SIDDHARTH SRIVASTAVA
High Court of Judicature at Allahabad