2026:AHC:209076

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 22350 of 2026

Apurva Jain and 2 others

.....Applicant(s)

Versus

State of U.P. and another

.....Opposite Party(s)

Along with :

1. **Application U/s 482 No. 32516 of 2017:**
   Asha Jain and 2 others
   Versus
   State of U.P. and another
2. **Application U/s 482 No. 20698 of 2018:**
   Asha Jain and 11 others
   Versus
   State of U.P. and another

Counsel for Applicant(s) : Aklank Kumar Jain, Ashish Kumar, Niraj Tiwari, Rakesh Kumar Pandey, Rohit Tiwari, Seema Tiwari, Virendra Singh

Counsel for Opposite Party(s) : G.A., Nanhe Lal Tripathi

Court No. - 78

HON'BLE SANDEEP JAIN, J.

1. Application No.22350 of 2026 under Section 528 of the BNSS has been filed seeking quashing of the proceedings of Complaint Case No. 8860 of 2025, arising out of Case Crime No. 814 of 2023, under Sections 494, 506 and 120-B IPC, Police Station Kotwali, District Lalitpur pending before the learned Chief Judicial Magistrate, Lalitpur, as well as the summoning order dated 06.05.2025.

2. Application No.32516 of 2017 under Section 482 of the CrPC has also been filed for quashing the chargesheet No.317 of 2017 as well as entire proceedings in Criminal Case No.4991 of 2017 (State vs. Asha Jain and others) arising out of Case Crime No.3278 of 2016, under Section 498-A,323,504,506 IPC and Section 3/4 of Dowry Prohibition Act, Police Station Kotwali, District Lalitpur pending before the learned Chief

Judicial Magistrate, Lalitpur.

3. Similarly, Application No.20698 of 2018 under section 482 of the CrPC has been filed for quashing the entire proceedings of Complaint Case No.5945 of 2017 (Smt. Anubha Jain vs. Asha Jain and others) under Section 498-A,323,504,506 IPC and Section 3/4 Dowry Prohibition Act, Police Station Kotwali, District Lalitpur pending before the learned Chief Judicial Magistrate, Lalitpur.

4. Learned counsel for the accused-applicants as well as learned counsel for the complainant-respondent no. 2, Smt. Anubha Jain, submits that the marriage of respondent no. 2 was solemnized with Apurva Jain on 30.04.2014. Subsequently, matrimonial dispute arose between the parties, pursuant to which the aforesaid complaints were instituted alleging that the husband had contracted a second marriage during the subsistence of his first marriage. By order dated 06.05.2025, the applicants, namely, the husband, father-in-law and mother-in-law of respondent no. 2, were summoned to face trial for the offences under Section 494,506,120-B IPC.

5. Learned counsel further submit that the wife also alleged that dowry was demanded from her and when she failed to fulfil that demand, she was subjected to cruelty and harassment in her matrimonial home, regarding which she instituted a Complaint Case and also got registered an FIR, pursuant to which the husband and his relatives have been summoned to face trial under Sections 498-A,323,504,506 IPC and Section 3/4 of the Dowry Prohibition Act.

6. Learned counsel submit that during the pendency of the proceedings, the matrimonial dispute between the husband and wife has been amicably settled. Pursuant to the settlement, the parties have agreed to dissolve their marriage by mutual consent under Section 13-B of the Hindu Marriage Act, 1955, and have filed a joint petition, being Case No. 158 of 2026, Apurva Jain Modi Vs. Smt. Anubha Jain, before the learned Family Court, Lalitpur.

7. It is further submitted that the husband has agreed to pay a one-time settlement amount of Rs.70 lakhs to respondent no. 2, out of which Rs.12

lakhs has already been paid to her and a demand draft of the remaining amount of Rs.58 lakhs was deposited before the learned Family Court, Lalitpur on 05.08.2026, which is to be released to respondent no. 2 subject to withdrawal/quashing of the pending proceedings between the parties.

8. Learned counsel for the parties, therefore, submit that in view of the compromise arrived at between the parties, the pending criminal cases be quashed.

9. I have heard learned counsel for the parties and perused the record.

10. It is apparent from the record that the matrimonial dispute between respondent no. 2 and her husband has been amicably resolved and the parties have also taken steps for dissolution of their marriage by mutual consent. In view of the settlement arrived at between the parties, continuation of the criminal proceedings would serve no useful purpose.

11. Accordingly, all the applications under Section 482 CrPC and 528 BNSS are ***allowed***. The proceedings of Complaint Case No. 8860 of 2025, arising out of Case Crime No. 814 of 2023, under Sections 494, 506 and 120-B IPC, Police Station Kotwali, District Lalitpur, pending before the learned Chief Judicial Magistrate, Lalitpur, as well as the summoning order dated 06.05.2025, are hereby quashed. Similarly, the proceedings of Criminal Case No.4991 of 2017 (State vs. Asha Jain and others) including the chargesheet arising out of Case Crime No.3278 of 2016, under Section 498-A,323,504,506 IPC and Section 3/4 of Dowry Prohibition Act, Police Station kotwali, District Lalitpur and proceedings of Complaint Case No.5945 of 2017 (Smt. Anubha Jain vs. Asha Jain and others) under Section 498-A,323,504,506 IPC and Section 3/4 Dowry Prohibition Act, Police Station Kotwali, District Lalitpur, pending pending before the learned Chief Judicial Magistrate, Lalitpur, are hereby also quashed.

(Sandeep Jain,J.)

October 6, 2026
Himanshu

Digitally signed by :-
HIMANSHU YADAV
High Court of Judicature at Allahabad