

**Court No. - 12**

**Case :-** APPLICATION U/S 482 No. - 10789 of 2024

**Applicant :-** Rajendra Kumar And Others

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

**Counsel for Applicant :-** Mohd. Imran Khan, Shoaib Ahmad

**Counsel for Opposite Party :-** G.A.

**Hon'ble Saurabh Lavania, J.**

Sri Abhay Pratap Singh, Advocate alongwith Ms. Anjali Shukla, Ms. Aalima Zaiadi, Ms. Fakhrunnisa, Ms. Sameeksha Shukla & Ms. Siddhida Mishra, Advocates, has put in appearance for the private opposite party no. 2 and has filed his Vakalatnama, which is taken on record.

Heard learned counsel for the parties and gone through the record.

The present application has been filed by the applicants with a prayer to quash the charge sheet dated 15.08.2018 arising out of FIR/Case Crime No. 583 of 2017, under Sections- 498-A, 323, 504 and 506 IPC, Police Station- P.G.I., District- Lucknow as well as the summoning order dated 05.04.2019 passed by the Special Chief Judicial Magistrate, Lucknow in Criminal Case No. 19202/2019 (State vs. Rajendra Kumar and others) pending before Special Judge (J.D.)/F.T.C., Lucknow.

It appears that after considering the averments made in the Application U/S 482 Cr.P.C. No. 5167 of 2024 and the documents in support thereof as also the submissions made by the learned counsel for the applicants, this Court vide order dated 31.05.2024 referred the matter to the concerned court/trial court for the purpose of verification of the compromise entered into between the parties.

It further appears from the order of the trial court dated 27.09.2024 annexed at Page No. 46 of this application that the trial court has verified the compromise entered into between the parties.

Based upon the aforesaid facts as also the observations made by the Hon'ble Apex Court in various pronouncements, learned counsel for the applicants stated that the instant application be allowed and pending proceedings in issue be quashed.

Based upon the compromise entered into between the parties, learned counsel for the opposite party No. 2 also stated that the opposite party No. 2 does not want to continue with the proceeding in issue and the same may be quashed.

Considering the aforesaid and also the submissions made by learned Counsel for the parties and the nature of dispute/crime, which is essentially matrimonial in nature, and also the observations made by the Hon'ble Apex Court in the case of *Ramgopal and others Vs. State of Madhya Pradesh*, (2022) 14 SCC 531, *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, this Court is of the view that the present application is liable to be allowed as chances of ultimate conviction are extremely bleak and hence no useful purpose would be served by allowing the criminal proceedings to continue. Accordingly, present application is **allowed**. Consequently, the entire proceedings arising out of *Case Crime No. 583 of 2017*, indicated above, are hereby quashed.

Office/Registry is directed to send the copy of this order to the court concerned through email/fax for necessary compliance.

**Order Date :- 29.11.2024**

Arun/-