

Abhilash Yadav And 6 Others vs State Of U.P. And Another on 3 March, 2025

Author: Raj Beer Singh

Bench: Raj Beer Singh

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Neutral Citation No. - 2025:AHC:29728

Court No. - 73

Case :- APPLICATION U/S 482 No. - 18151 of 2020

Applicant :- Abhilash Yadav And 6 Others

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

Counsel for Applicant :- Girish Kumar Mishra, Madan Mohan, Sunil Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Raj Beer Singh, J.

1. Heard learned counsel for applicants and learned A.G.A. for the State. None has appeared on behalf of opposite party no. 2 despite service of notice.

2. This application u/s 482 Cr.P.C. has been filed for quashing of the entire proceedings, including the impugned charge-sheet No. 652 of 2019 dated 26.11.2019 as well as cognizance order dated 26.08.2019, of Criminal Case No. 1482 of 2020 (State Vs. Abhilash Yadav & Others), arising out of Case Crime No. 0841 of 2019, under Sections - 498A, 323, 504, 506, 354, 324 I.P.C. and Section 3/4 of Dowry Prohibition Act, Police Station - Civil Lines, District - Rampur, pending in the court of Chief Judicial Magistrate, Rampur.

3. It is submitted by learned counsel for the applicants that matter relates to matrimonial dispute between the parties. The applicant no. 1 is husband of opposite party no. 2 and applicant nos. 2 and 7 are family members of applicant no. 1. The opposite party no. 2 has lodged one more case vide complaint Case No. 3162 of 2019, under Sections 427, 323, 354(Kha) I.P.C. and in that case, matter was referred for mediation by this Court vide order dated 18.09.2019 passed in Application under Section 482 No.- 33966 of 2019. During mediation proceedings, both the parties have amicably settled their all disputes and agreed to withdraw the cases lodged against each other. Learned counsel has referred mediation report, wherein it has been mentioned that both the parties shall withdraw the cases, including the present case crime no. 0841 of 2019.

4. It was submitted that in view of the aforesaid facts, no useful purpose would be served by keeping the impugned proceedings pending and thus, the impugned proceedings may be quashed on the basis of compromise arrived at between the parties.

5. Learned A.G.A. has no objection if parties compromise the matter.

6. I have considered the submissions and perused the record.

7. It is well settled that in appropriate cases criminal proceedings may be quashed on the basis of compromise. In the instant case, it appears that matter relates to matrimonial dispute, which is private in nature. During mediation proceedings, both the parties have amicably settled the dispute and compromised the matter. If parties compromise the matter, it would not have adverse impact on society. There is nothing to indicate that parties have any criminal antecedents. Considering the law laid down in the case of State of Madhya Pradesh Vs. Laxmi Narayan and others, AIR 2019 SC 1296 and the facts of the matter, it would be in the interest of justice that the impugned proceedings be quashed.

8. In view of the aforesaid, the impugned charge sheet, cognizance order and entire proceedings of the aforesaid case against applicants, namely, Abhilash Yadav, Smt. Maya Devi, Smt. Nisha @ Priya Yadav, Smt. Neetu, Chandra Prakash, Smt. Gunjan Yadav and Pankaj Yadav are, hereby, quashed.

9. The application u/s 482 Cr.P.C. is allowed.

Order Date :- 3.3.2025 SK Srivastava