

Court No. - 86

Case :- APPLICATION U/S 482 No. - 39745 of 2022

Applicant :- Manish Chauhan And 4 Others

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

Counsel for Applicant :- Mir Sayed

Counsel for Opposite Party :- G.A.

Hon'ble Karunesh Singh Pawar,J.

Heard learned counsel for the petitioners and learned A.G.A. for the State as well as Shri Saqib Ahmad, learned Counsel appearing for respondent no. 2 who has filed vakalatnama which is taken on record.

Learned counsel for the petitioners submits that petitioner no. 1 and respondent no. 2 are husband and wife and they have settled their dispute outside the Court by way of a settlement deed which is on record. It is prayed that in view of the settlement deed by which the matter has been amicably settled between the husband and wife, learned trial court may be directed to verify the settlement deed.

Learned counsel for respondent no. 2 has conceded the argument of learned counsel for the petitioners.

Learned A.G.A. has opposed the compromise submitting that the compromise has been entered between petitioner no. 1 and respondent no. 2 who are husband and wife; respondent no. 2 to 5 have not entered into any compromise with respondent no. 2, hence, the proceedings qua these petitioners i.e. petitioner no. 2 to 5 cannot be quashed on the basis of the said settlement deed.

On due consideration to the argument advanced as well as perusal of the record, the parties are directed to appear before the learned trial court on 21.12.2022 along with said compromise as well as a fresh compromise entered between petitioner nos. 2 to 5 and respondent no. 2, who shall verify the compromise in presence of the parties within one week thereafter and keep a report of the verification on the record of the Court after providing its copies to the parties.

For a period of three months, the proceedings of criminal case No. 481/2020 "State of U.P. Vs. Manish Chauhan and others", case crime No. 101/2019, under Section 498A/323/504 I.P.C. and Section 3/4 of D.P. Act, P.S. Mahila Thana, District Bijnaur, shall be kept in abeyance.

In view of the above, the petition is **disposed of**.

Liberty to the parties is granted to approach this Court again for quashing of the proceedings on the basis of compromise and its verification.

Order Date :- 2.12.2022/RC