

**Court No. - 90**

**Case :-** APPLICATION U/S 482 No. - 46471 of 2023

**Applicant :-** Smt Sushila Devi Pandey And 4 Others

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

**Counsel for Applicant :-** Satya Prakash Pandey

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

**Hon'ble Vikram D. Chauhan,J.**

1. Heard learned counsel for the applicants and learned AGA for the State.

2. This application under Section 482 Cr.P.C. has been filed by the applicants for setting aside the impugned summoning order dated 16.9.2022 and subsequent order dated 21.10.2023 passed by Chief Metropolitan Magistrate, Kanpur Nagar in Criminal Case No. 24659 of 2004 (State Vs. Satyajeet Pandey and others) in Case Crime No. 296 of 2004 under Sections 498A I.P.C. and Section 3/4 Dowry Prohibition Act, Police Station Chakeri, District Kanpur Nagar.

3. It is submitted by learned counsel for the applicants that a settlement agreement was entered into between the informant and the applicant on 25.2.2010 which was on reference in Criminal Misc. Application No. 11436 of 2009. The settlement agreement is at page no. 52 of the paper book. Learned counsel for the applicants submits that in the intervening period earlier application under Section 482 Cr.P.C. was dismissed as the same had become infructuous, however, criminal proceedings could not be quashed. Learned counsel for the applicants further submits that in view of the compromise entered into between the parties, the present summoning order is not tenable.

4. Matter requires consideration.

5. Issue notice to opposite party no. 2.

6. List this case on 8.4.2024.

7. Till the next date of listing, further proceedings in the aforesaid case shall remain stayed against the applicants.

**Order Date :-** 19.2.2024

**VMA**