



2026:AHC:59711

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 482 No. - 236 of 2024

Karan And 4 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Pankaj Kumar Mishra

Counsel for Opposite Party(s) : Bhupendra Singh, G.A., Monika Pal

Court No. - 82

HON'BLE PADAM NARAIN MISHRA, J.

1. Heard learned counsel for the applicant, learned AGA for the state and perused the material available on records.

2. Learned counsel for the applicants has submitted that under the direction of the Court, applicant deposited Rs. 15.50 lakhs before the Registrar General of this Court in pursuance of order dated 14.03.2024 and 05.08.2024 . Out of which 60% amount has been released in favour of opposite party no. 2, by order dated 11.11.2024. He has further submitted that 40% amount was deposited in the Nationalized Bank, which was subject to decision of divorce petition. The divorce decree has been passed by competent court, Etawah, under Section 13 - B of Hindu Marriage Act, which disclosed that all dispute between the parties have been settled and the parties or not interested further to prosecute the case.

3. A three-Judge Bench of the Supreme Court in **Gian Singh v. State of Punjab & another, (2012) 10 SCC 303**, has observed that: (SCC p.340, para 58)

"58. Where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is resorted;

securing the ends of justice being the ultimate guiding factor."

4. Keeping in mind the position of law, facts and circumstances of the case, the present application under Section 482 Cr.P.C. stands **allowed**

5. The entire proceedings of Complaint Case No. 1190 of 2021 (Smt. Oshima v. Karan and Others), under Sections 498A, 323, 504 of IPC and Section 3/4 D.P. Act, Police Station Friends Colony, District Etawah, as well as summoning order dated 12.12.2023, is hereby quashed.

6. This order is being passed by this Court after hearing the contesting parties. If at all, opposite party no. 2 feels that he has been duped or betrayed, then in that event, he may file recall application explaining the reasons for filing the said application.

7. The parties may file the certified copy of this order before the court concerned within six weeks from today.

8. Applicant deposited Rs. 15.50 lakhs before the Registrar General of this Court in pursuance of dated 14.03.2024 and 02.05.2024 passed by the co-ordinate bench of this court. Out of which 60% amount has been released in favour of opposite party no. 2 in pursuance of the order dated 11.11.2024. The remaining 40% amount was deposited in the Nationalized Bank, which was subject to decision of divorce petition. The divorce decree dated 15.07.2025 has been passed by the Principal Judge, Family Court, Etawah under Section 13 - B of Hindu Marriage Act which available at the page no. 7 of the supplementary affidavit. Considering aforesaid facts, the Registrar General of this Court is directed to release the remaining 40% amount in favour of opposite party no. 2.

March 19, 2026
v.k. updh.

(Padam Narain Mishra,J.)