

Court No. - 73

Case :- APPLICATION U/S 528 BNSS No. - 28930 of 2025

Applicant :- Ravishankar Thakur Alias Prashant Kumar Alias Ravi

Opposite Party :- State Of U.P. And 3 Others

Counsel for Applicant :- M.S. Chauhan

Counsel for Opposite Party :- G.A.

Hon'ble Dinesh Pathak,J.

1. Smt. Shiv Kumari Chauhan, learned Advocate has filed memo of appearance on behalf of respondent no.2, today in the Court, which is taken on record. Office is directed to proceed accordingly and print her name as counsel for the respondent, when the matter is listed next.

2. Heard learned counsel for the applicant, learned counsel for private respondent no.2 as well as learned A.G.A. for the State-respondents.

3. The applicant has invoked the inherent jurisdiction of this Court under Section 528 B.N.S.S. for quashing the entire proceeding including impugned order dated 17.05.2025 along with charge-sheet dated 10.12.2020 in S.S.T. No.429 of 2020 (State vs. Ravishankar Thakur @ Prashant Kumar @ Ravi) arising out of Case Crime No.50 of 2020 under Sections 363, 366, 376(3) I.P.C. and Section 5(j)(ii), 5(l)/6 POCSO Act, Police Station Chit Bara Gaon, District Ballia pending before Special Judge (POCSO Act)/Additional Sessions Judge, Court No.8, Ballia.

4. It is submitted the prosecutrix (victim) has stated in her statement under Section 164 Cr.P.C. that she went with the accused (applicant herein) out of her own volition because of cruel behaviour of her parents. She solemnized marriage with the accused. As per averments made in paragraph no.23 of the affidavit, the victim and the accused have tied the nuptial knot and blessed with a male child named Satyakam who was born on 18.12.2020. Subsequently, they got their marriage registered under the U.P. Marriage Registration Rules, 2017. Marriage certificate is enclosed as Annexure-5. At present, both the parties are living

happy married life, however, pendency of criminal proceeding would encompass prejudice or operation to their married life. It is next submitted that in the changed scenario, the first informant (father of the victim) is no longer inclined to pursue the criminal proceeding against the present applicant who is his son-in-law and he has accepted the marriage of the applicant and his daughter (victim). Learned counsel for the applicant has placed reliance upon the judgment in the case of **Madhukar & Others;Prabhakar vs. State of Maharashtra & Another** reported in **2025 LawSuit (SC) 914** and in the case of **Mafat Lal & Another vs. The State of Rajasthan** reported in **2022 0 Supreme (SC) 685**.

5. Learned counsel for the opposite party No. 2 has nodded the factum of the compromise entered into between the parties and he has no objection, in case the matter is referred before the court below for verification of compromise. It is further submitted that opposite party no. 2 is no more inclined to prosecute the criminal proceeding against the applicant. Therefore, instant application may be allowed and criminal proceedings against the applicant may be quashed.

6. Learned A.G.A. has no objection in referring the matter before the court below for verification of compromise.

7. In this conspectus, as above, both the parties are hereby directed to appear before the court below within three weeks from today to get their compromise verified. The learned court concerned, in turn, shall verify the same in presence of both the parties after recording their statements and submit its verification report on or before the next date fixed.

8. List this matter on **08.10.2025** along with compromise verification report submitted by the court concerned, if any.

9. Until further orders of this Court, further proceedings against the present applicant in the aforementioned case shall remain stayed.

Order Date :- 8.8.2025

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