

SLP(Crl.)No. 2591 OF 2003
IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.234 OF 2004
(arising out of SLP(Crl.)No.2591 of 2003)

Wazid Ali & Ors.Appellants

Versus

State of U.P. and Anr.Respondents

O R D E R

Heard learned counsel for the parties.
Leave granted.

This appeal arises out of a matrimonial dispute between the parties which has given rise not only to this appeal but also to certain other proceedings between the parties particulars of which are given in the memo dated 28th September, 2003 filed by the parties. So far as this appeal is concerned this arises from a police case in Crime No.191/99 pending in the Court of Judicial Magistrate Sultanpur in Criminal Case No.615/2001. By the Memo filed in this Court, the parties have settled all their disputes and with a view to live harmony the complainants in other two cases mentioned in the said memo also have undertaken to withdraw the same. Taking into consideration the facts and circumstances of this case and larger interest of peace and harmony between the

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parties we think it appropriate that the criminal case pending in the Court of Judicial Magistrate, Sultanpur in CC No. 615/2001 should be quashed and we do so. So far as Criminal Miscellaneous Case No.117-H/2003 and Criminal Miscellaneous Case No.117-J/2003 in regard to which no cognizance yet have been taken the respective parties have undertaken in the above said memo to withdraw the same and we bind the parties to the said undertaking given in the memo. We take the said memo of the parties on record and direct the parties to comply with the undertaking given by the respective parties. So far as CC No.615/2001 is concerned the same is quashed for the above reason and this appeal succeeds with a direction that the parties shall abide by the undertaking given in the said memo taken on record by us.

.....J.
(N. SANTOSH HEGDE)

.....J.
(B.P. SINGH)

NEW DELHI
FEBRUARY 17, 2004.

ITEM No.2

Court No. 4

SECTION II
A/N MATTER

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No. 2591/2003

(From the judgement and order dated 14/02/2003 in CRLM 1408/01
of The HIGH COURT OF ALLAHABAD AT LUCKNOW)

WAZID ALI & ORS.

Petitioner (s)

VERSUS

STATE OF U.P. & ANR.

Respondent (s)

(With Appln(s). for stay and urging addl. grounds and permission to place addl. documents on record and exemption from filing O.T. and directions)

Date : 17/02/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N. SANTOSH HEGDE
HON'BLE MR. JUSTICE B.P. SINGH

For Petitioner (s)Mr. Naresh Kaushik, Adv.
Ms. Shilpa Chohan, Adv.
Mrs Lalita Kaushik,Adv.

For Respondent (s)Mr. K.R. Nagaraja,Adv.

Mr. Sahdev Singh, Adv.
Mr. Jatinder Kumar Bhatia, Adv.

UPON hearing counsel the Court made the following
O R D E R

Heard learned counsel for the parties.
Leave granted.

The appeal succeeds in terms of the signed order with a direction that the parties shall abide by the undertaking given in the memo taken on record.

(PAWAN KUMAR) (PREM PRAKASH)
Court Master Court Master
(signed order is placed on the file)