

IN THE HON'BLE HIGH COURT OF \_\_\_\_\_

CRIMINAL M.C. No. \_\_\_\_\_ OF 202....

IN THE MATTER OF:

SH. \_\_\_\_\_ & ORS. ..PETITIONERS

VERSUS

THE STATE ..RESPONDENTS

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\_\_\_\_\_  
DATED

COUNSEL FOR THE PETITIONERS

**IN THE HON'BLE HIGH COURT OF \_\_\_\_\_**

**CRIMINAL M.C. No. \_\_\_\_\_ OF 202**

**IN THE MATTER OF:**

**SH. \_\_\_\_\_ & ORS. ..PETITIONERS**

**VERSUS**

**THE STATE ..RESPONDENTS**

**TO,  
THE DEPUTY REGISTRAR,  
HIGH COURT OF \_\_\_\_\_,  
\_\_\_\_\_.**

**SUBJECT: URGENT APPLICATION**

**Sir,**

**Kindly treat the enclosed petition as an urgent one according to**

**High Court rules and orders. The ground of urgency is as under:-**

**“Necessary orders for quashing the FIR No....., under  
section 498-A/406/34(Add necessary section) I.P.C. P.S. \_\_\_\_\_  
are prayed for.”**

**\_\_\_\_\_ PETITIONERS**

**DATED \_\_\_\_\_**

**THROUGH \_\_\_\_\_**

**COUNSEL**

IN THE HON'BLE HIGH COURT OF \_\_\_\_\_

CRIMINAL M.C. No. \_\_\_\_\_ OF 202....

IN THE MATTER OF:

SH. \_\_\_\_\_ & ORS. ..PETITIONERS

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**NOTICE OF MOTION**

The Standing Counsel (Crl.)

\_\_\_\_\_

High Court \_\_\_\_\_

Sir,

The accompanying petition is being preferred for quashing of. FIR No....., under section 498-A/406/34(Add necessary section) I.P.C. P.S. \_\_\_\_\_ is annexed, which is likely to come up before the Hon'ble High Court on \_\_\_\_\_ or any other date thereafter.

This is for your information and necessary action.

\_\_\_\_\_  
PETITIONERS

DATED

THROUGH

COUNSEL

IN THE HON’BLE HIGH COURT OF \_\_\_\_\_  
\_\_\_\_\_

CRIMINAL M.C. No. \_\_\_\_\_ OF 202....

IN THE MATTER OF:

SH. \_\_\_\_\_ & ORS. ..PETITIONERS

VERSUS

THE STATE ..RESPONDENTS

**PETITION UNDER SECTION 482 OF THE CODE OF  
CRIMINAL PROCEDURE, 1973 PRAYING THIS HON’BLE  
COURT TO PASS NECESSARY ORDERS AND DIRECTION  
THEREBY QUASHING AND CANCELLING THE FIR  
NO.74/2010, UNDER SECTION 498-A/406/(Add necessary  
section) I.P.C. P.S. \_\_\_\_\_**

**MEMO OF PARTIES**

1. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
.....PETITIONERS

VERSUS

1. THE STATE  
  
2. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
.....RESPONDENT

\_\_\_\_\_  
PETITIONERS

DATED THROUGH

COUNSEL

**List of Dates and Events**

Date `	Particulars of events
.....	The marriage between the petitioner No. 1 and respondent No. 2 was solemnized according to Hindu rites and ceremonies at_____on ..... The marriage between the parties was duly consummated and out of this wedlock no issue was born.
.....	That after the marriage, the petitioner No. 1 and respondent No. 2 lived together as husband and wife in the matrimonial home.
.....	A complaint filed in CAW Cell against the petitioners by the respondent No. 2 on .....
.....	In pursuant to the above complaint, a FIR No.74/2020, under section 498-A/406/34(Add necessary section) I.P.C. P.S._____was registered against the petitioner No. 1 and his family members.
.....	That due to the intervention of the Mediation Centre,/ or Relatives, the matter between both the petitioners have been amicably settled vide order dated ..... .....
	Hence this petition

**IN THE HON'BLE HIGH COURT OF \_\_\_\_\_**

**CRIMINAL M.C. No. \_\_\_\_\_ OF 202.....**

**IN THE MATTER OF:**

**SH. \_\_\_\_\_ & ORS.**

**..PETITIONERS**

**VERSUS**

**THE STATE**

**..RESPONDENTS**

**PETITION UNDER SECTION 482 OF THE CODE OF CRIMINAL PROCEDURE, 1973 PRAYING THIS HON'BLE COURT TO PASS NECESSARY ORDERS AND DIRECTION THEREBY QUASHING AND CANCELLING THE FIR NO.74/2010, UNDER SECTION 498-A/406/34(Add necessary section) I.P.C. P.S. \_\_\_\_\_**

**AND ALSO**

**PRAYING THIS HON'BLE COURT TO PASS ANY OTHER ORDER OR DIRECTION AS THIS HON'BLE COURT MAY DEEM FIT AND PROPER IN THE FACTS AND CIRCUMSTANCES OF THE CASE.**

**TO,**

**THE HON'BLE CHIEF JUSTICE  
AND HIS HON'BLE COMPANION  
JUSTICES OF THE HIGH COURT OF  
\_\_\_\_\_.**

**THE HUMBLE PETITION OF THE  
PETITIONERS ABOVE NAMED.**

**MOST RESPECTFULLY SHOWETH:**

- 1. That the marriage between the petitioner No. 1 and respondent  
No. 2 was solemnized on ..... at \_\_\_\_\_ according**

to Hindu rites and ceremonies. The marriage was duly consummated and out of this wedlock no issue was born.

2. That the petitioner No. 1 is the husband, petitioner No. 2 is the mother-in-law, Petitioner No. 3 is the sister-in-law and petitioner No. 4 is brother-in-law of the respondent No. 2/complainant

3. That there is irretrievable break down of the marriage due to incompatible behaviour, conduct and temperament of the parties. Accordingly, the parties to the petition have been living separately since ..... and have not been able to live together or cohabited since then.

4. That a complaint filed in CAW Cell against the petitioners by the respondent No. 2 on ..... and the said complaint converted into FIR No....., under section 498-A/406/34/(Add necessary section) I.P.C. P.S. .... True photocopy of the FIR and its true typed copy are annexed herewith as **Annexure P-1 (Colly)**.

5. That due to the intervention of the Mediation Centre/Relatives, both the petitioner No. 1 and Respondent No. 2 have mutually agreed before the Mediation Cell, \_\_\_\_\_ Court that their marriage may be dissolved and that there shall be no claim



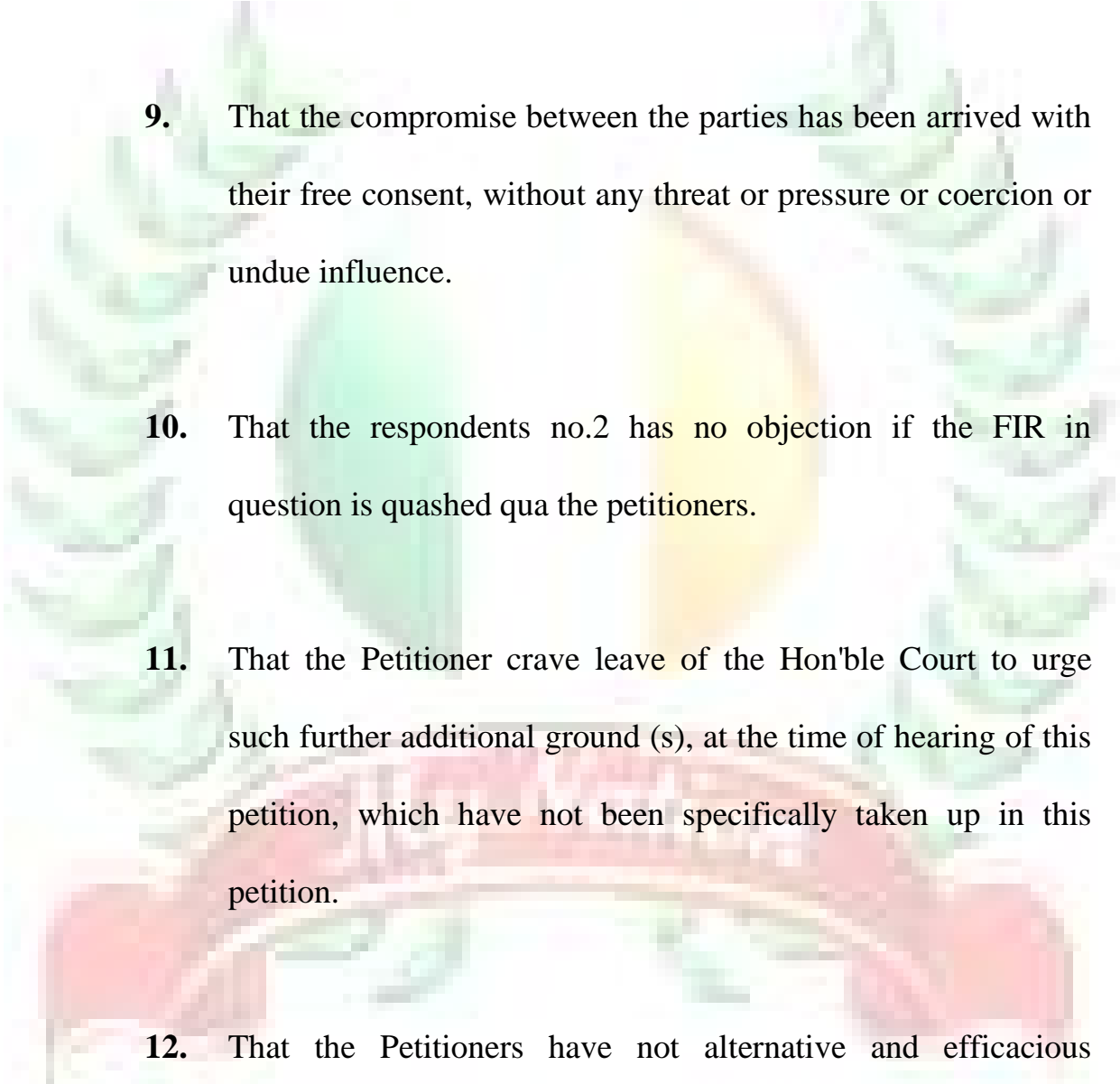
whatsoever made out against any of the parties or against each other and they shall be bound by the conditions settled amongst them before the Mediation Cell, \_\_\_\_\_ Court.

6. That both the parties have agreed upon a settlement that the Petitioner No. 1 will pay a total sum of Rs ...../- on account of full and final settlement of all past present and future claims of all kinds in lieu of dowry articles, Stridhan, maintenance present past and future and also includes all claims of permanent alimony.

7. That the said amount will be divided in \_\_\_\_\_ installments of Rs...../- at the time of First motion to the petitioner No. 1, second installment of Rs ...../- was paid at the time of second motion and last and final installment of Rs...../- being paid at the time of quashing of the FIR No. .... u/s 498-A/406/34/(Add necessary section) IPC, P.S. ....

8. That the respondents No.2 has no more grievance against the petitioner. The respondent No.2 is not willing to support the imputations made in the said FIR against the petitioners because the dispute in question has already been settled/compromised between the parties. In these

circumstances, there are no chances of successful prosecution and conviction of the petitioners. Therefore, no fruitful purpose will be served while allowing the criminal proceedings in question to continue. The very purpose of justice will be frustrated by allowing the criminal proceeding in question to continue.

- 
9. That the compromise between the parties has been arrived with their free consent, without any threat or pressure or coercion or undue influence.
  10. That the respondents no.2 has no objection if the FIR in question is quashed qua the petitioners.
  11. That the Petitioner crave leave of the Hon'ble Court to urge such further additional ground (s), at the time of hearing of this petition, which have not been specifically taken up in this petition.
  12. That the Petitioners have not alternative and efficacious remedy except to approach this Hon'ble Court for seeking relief claimed in the petition.
  13. That the Petitioners have not filed any other similar petition seeking quashing of complaint case in question either before

this Hon'ble Court or before the Hon'ble Supreme Court of India.

14. That the Annexures annexed with this petition are true copies of their respective originals.

**PRAYER**

It is, therefore, most humbly and respectfully prayed that this Hon'ble Court may kindly be pleased to quash the FIR No....., under section 498-A/406/34/(Add necessary section) I.P.C. P.S.\_\_\_\_\_, in the interest of justice.

\_\_\_\_\_  
DATED

THROUGH

PETITIONERS

COUNSEL

IN THE HON'BLE HIGH COURT OF \_\_\_\_\_  
\_\_\_\_\_

CRIMINAL M.C. No. \_\_\_\_\_ OF 202...

IN THE MATTER OF:

SH. \_\_\_\_\_ & ORS. ..PETITIONERS

VERSUS

THE STATE ..RESPONDENTS

**AFFIDAVIT**

I, \_\_\_\_\_ S/O \_\_\_\_\_, AGED  
ABOUT \_\_\_\_\_ YEARS R/O  
\_\_\_\_\_, do hereby solemnly  
affirm and declare as under:

1. That the deponent is petitioner No. 1 in this petition and is fully conversant with the facts and circumstances of this case. The deponent is competent to swear this affidavit.
2. That the accompanying petition has been drafted and filed under my instructions by my counsel. I have read the same in between the lines and the same is true and correct to the best of my knowledge and belief and nothing has been concealed therein.
3. That the deponent has not filed any other similar petition seeking quashing of FIR in question either before this Hon'ble Court or before the Hon'ble Supreme Court of India.

DEPONENT

**VERIFICATION:**

Verified at \_\_\_\_\_ on this \_ day of May, 2011 that  
the contents of the above affidavit are true and correct to the best of my  
knowledge and belief and nothing material has been concealed therein.

DEPONENT



**IN THE HON'BLE HIGH COURT OF \_\_\_\_\_**

**CRIMINAL M.C. No. \_\_\_\_\_ OF 202...**

**IN THE MATTER OF:**

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**STATEMENT OF NON FILING**

That the Petitioners have not filed any other similar petition seeking quashing of FIR in question either before this Hon'ble Court or before the Hon'ble Supreme Court of India.

\_\_\_\_\_  
PETITIONERS

DATED

THROUGH

COUNSEL

IN THE HON'BLE HIGH COURT OF \_\_\_\_\_

C.M. No. \_\_\_\_\_ OF 202...

IN

CRIMINAL M.C. No. \_\_\_\_\_ OF 202..

IN THE MATTER OF:

SH. \_\_\_\_\_ & ORS.

..PETITIONERS

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**APPLICATION UNDER SECTION 482 Cr.P.C. FOR  
EXEMPTION FROM THE FILING CERTIFIED COPY OF  
THE ANNEXURES.**

MOST RESPECTFULLY SHOWETH:

1. That the petitioners have filed the above said petition before this Hon'ble Court seeking quashing of FIR No. \_\_\_\_\_, under section 498-A/406/34/(Add necessary section) I.P.C. P.S. \_\_\_\_\_, the contents whereof are not being repeated herein for the sake of brevity and may be read as part and parcel of the present application.
2. That the petitioners are unable to furnish the certified copy of the aforesaid annexures at this stage and will submit the same before this Hon'ble Court after their receipt.

It is, therefore, most humbly and respectfully prayed that filing of the certified copies of the annexures may kindly be exempted, in the interest of justice.

PETITIONERS

DATED

THROUGH

COUNSEL

IN THE HON'BLE HIGH COURT OF \_\_\_\_\_

C.M. No. \_\_\_\_\_ OF 202..

IN

CRIMINAL M.C. No. \_\_\_\_\_ OF 202...

IN THE MATTER OF:

SH. \_\_\_\_\_ & ORS.

..PETITIONERS

VERSUS

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..RESPONDENTS

**AFFIDAVIT**

I, \_\_\_\_\_ S/O \_\_\_\_\_, AGED  
ABOUT \_\_\_\_\_ YEARS R/O

\_\_\_\_\_, do hereby solemnly  
affirm and declare as under:

1. That the deponent is petitioner No. 1 in this petition and is fully conversant with the facts and circumstances of this case. The deponent is competent to swear this affidavit.
2. That the contents of the petition u/s 482 Cr.P.C. for exemption from filing the certified copy of annexures has been drafted by my counsel as per my instruction and the contents of the same have been duly read over and understood by me and after fully understanding the contents of the same, I hereby state that the facts stated therein are all true and correct to the best of my knowledge. The contents of petition may kindly be read as part and parcel of this affidavit also as the contents of the same have not been repeated herein for the sake of brevity.

DEPONENT



VERIFICATION

Verified at \_\_\_\_\_ on this \_\_\_\_\_ day of  
....., that the contents of my above affidavit are true and  
correct to knowledge, no part of it is false and nothing material has  
been concealed therefrom.

DEPONENT



IN THE HON’BLE HIGH COURT OF \_\_\_\_\_, AT  
\_\_\_\_\_.

CRIMINAL M.C. No. \_\_\_\_\_ OF 202.

IN THE MATTER OF:

SH. \_\_\_\_\_ & ORS. ..PETITIONERS

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**COURT FEES**

\_\_\_\_\_.  
PETITIONERS

DATED

THROUGH

COUNSEL