

Court No. - 86

Case :- APPLICATION U/S 482 No. - 6664 of 2022

Applicant :- Jogendra And 6 Others

Opposite Party :- State Of U.P. And 4 Others

Counsel for Applicant :- Kuldeep Singh Chahar, Pramod Kumar Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Rajiv Gupta, J.

1. Heard learned counsel for the applicants, learned AGA for the State and perused the record.

2. This application under Section 482 Cr.P.C. has been filed with the prayer to quash the entire proceedings of Case Crime No. 161 of 2020 (State vs. Jogendra), under Sections 147, 148, 323, 354, 504, 506 and 325 I.P.C., P.S. Fatehpur Sikari, district-Agra on the basis of compromise dated 26.11.2021.

3. Learned counsel for the applicants has submitted that applicants and the opposite party no. 2 are the members of same family and on account of certain misunderstanding and differences, the instant criminal case was instituted against the applicants. He further submits that in respect of said FIR, the applicant no. 3 Kamal Singh @ Nahnu has also lodged an FIR against opposite parties, which was registered as Case Crime NO. 156 of 2020, under Sections 147, 148, 325, 504, 354, 506, 323 and 308 I.P.C., however subsequently, with the intervention of respected members of the family and society, the parties have amicably and genuinely settled their all disputes and differences in order to maintain harmonious and cordial relations between them and now, they do not have any grievance against each other.

4. Learned counsel for the applicants has next drawn the attention of this Court to the compromise deed dated 26.11.2021 drawn between the parties, a copy of which has been annexed as Annexure-5 to this application.

5. This Court vide its order dated 21.3.2022 had directed the parties to appear before the court below and file a copy of the said compromise deed, which shall be verified by the court below and after verification of the compromise, a report be submitted to this Court.

6. Pursuant to the said order dated 21.3.2022, the parties appeared before the court below and in their presence, after due verification of the contents of the compromise made between the parties, an order dated 04.05.2022 has been passed by the court below verifying the said compromise.

7. Learned counsel for the applicants has next submitted that in view of the said compromise, as well as the compromise verification report of the court below and in order to maintain harmonious and cordial relations between the parties, entire proceedings against the applicants be quashed.

8. Learned AGA could not dispute the aforesaid facts.

9. This Court is not unmindful of the judgement of the Hon'ble Apex Court in the case of **Narindra Singh and others Vs. State of Punjab, (2014) 6 SCC 466, Parbatbhai Aahir @ Parbatbhai Vs. State of Gujarat (2017) 9 SCC, 641, Gian Singh Vs. State of Punjab (2012) 10 SCC 303 and State of M.P. Vs. Laxmi Narayanan (2019) 5 SCC 688**, wherein Hon'ble Apex Court has categorically held that compromise can be made between the parties even in respect of certain cognizable and non-compoundable offences. Reference may also be made to the decision given by this Court in **Shaifullah and others Vs. State of U.P. and another [2013 (83) ACC 278]**, in which, law expounded by the Hon'ble Apex Court in the aforesaid cases has been explained in detail.

10. Considering the facts and circumstances of the case, as noted herein above, and also the submissions made by learned counsel for the parties, this Court is of the considered opinion that no useful purpose would be served by prolonging the proceedings of the above mentioned case.

11. Accordingly, the entire proceedings of Case Crime No. 161 of 2020 (State vs. Jogendra), under Sections 147, 148, 323, 354, 504, 506 and 325 I.P.C., P.S. Fatehpur Sikari, district-Agra, are hereby quashed.

12. This application under Section 482 CrPC is accordingly allowed.

Order Date :- 16.11.2023/Faridul