

Court No. - 87

Case :- APPLICATION U/S 482 No. - 39959 of 2013

Applicant :- Suresh Kulshrestha And Another

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Anil Kuamr Shukla

Counsel for Opposite Party :- Govt. Advocate

Hon'ble Neeraj Tiwari,J.

1. Short counter affidavit along with Vakalatnama filed by Shri Amresh Bahadur Tiwari, Advocate on behalf of the opposite party No.2 is taken on record.
2. Heard Shri Anil Kumar Shukla, learned counsel for the applicants, learned A.G.A. for the State and Shri Amresh Bahadur Tiwari, learned counsel for the opposite party No.2.
3. This application under Section 482, Cr.P.C. has been filed for quashing the entire proceedings of Case No. 503 of 2013 arising out of Case Crime No. 179 of 2013, State Vs. Suresh Chandra and others, under Sections 384, 506 IPC, Police Station-Hathras Gate, District-Hathras, pending in the court of Additional Chief Judicial Magistrate, Hathras.
4. Learned counsel for the applicant submits that applicants and opposite party No.2 are residing in the same village and ultimately with the interference of respected person of the village, this criminal proceeding has been initiated against the applicants. He next submits that now parties have entered into compromise on 08.04.2019. This fact may also be verified from the short counter affidavit filed today. He next submits that in light of compromise between the parties, the criminal proceeding against the applicants may be quashed.
5. Learned counsel for the opposite party No. 2 has filed short counter affidavit, in which is has not objected the aforesaid facts and submitted that in case proceedings against the applicants is quashed, he would have no objection.
6. In view of the facts and circumstances of the case, the applicants and opposite party no. 2 do not want to pursue the case any further as stated by them. The matter has been mutually settled between the parties, therefore, no useful purpose would be served in proceeding with the matter further.

7. Thus in view of the well settled principle of law as laid down by the Hon'ble Apex Court in the matters of **Krishnappa & Ors. vs. State of Karnataka; 2021 0 Supreme(SC) 529, Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and Ors. vs. State of Gujarat and another; 2017 9 SCC 641, B.S. Joshi Vs. State of Haryana; 2003(4) SCC 675, Nikhil Merchant Vs. Central Burea of Investigation and another; (2008) 9 Supreme Court Cases 677, Gian Singh Vs. Stated of Punjab; (2012) 10 SCC 303 and Narinder Singh & others Vs. State of Punjab and another; (2014) Supreme Today 642**, the proceedings of the aforesaid case is hereby quashed.

8. The present application is, accordingly **allowed**.

Order Date :- 23.11.2023

Amit/-