

Court No. - 93

Case :- APPLICATION U/S 482 No. - 15010 of 2023

Applicant :- Bhanu Pratap Singh And Another

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

Counsel for Applicant :- Akash Mishra

Counsel for Opposite Party :- G.A.,Mahendra Tripathi

Hon'ble Arun Kumar Singh Deshwal,J.

1. Heard Sri Akash Mishra, learned counsel for the applicants and Sri Mahendra Tripathi, learned AGA for the State.

2. The present 482 Cr.P.C. application has been filed to quash the entire proceedings as well as impugned summoning order dated 03.04.2017, non bailable warrant dated 25.07.2018 and order of 82 Cr.P.C. dated 11.03.2020 passed by learned Additional Chief Judicial Magistrate, Court No.5, Agra in Complaint Case No.1655/2013 (Pradeep Singh Vs. Bhanu Pratap Singh and another), under Section-138 of Negotiable Instruments Act, 1881, Police Station-Hariparwat, District-Agra, pending in the court of Additional Court No.2, Agra.

3. At the outset, learned counsel for the applicants as well as opposite party no.2 have stated that both of them have settled their dispute and cheque amount of Rs.3,00,000/- as well as interest part of that amount for Rs.75,000/- has been paid to opposite party no.2 before this court in following manner: (i) Rs.3,00,000/- on 09.08.2023 and; (ii) Rs.75,000/- on 16.10.2023. As the both parties have settled their dispute amicably, the entire amount to the satisfaction of opposite

party no.2 has been paid to opposite party no.2. Therefore, nothing survives in the impugned proceeding. However, it is provided that opposite party no.2 will move an application within 15 days before the court below to withdraw his complaint and court below will pass order permitting to withdraw the aforesaid complaint as per the order of this court.

4. It is further provided that till disposal of the withdrawal application of the complainant (opposite party no.2), no coercive action shall be taken against the applicants in the aforesaid case.

5. With the above observations, present application is **disposed of.**

Order Date :- 16.10.2023

S.Chaurasia