

Court No. - 92

Case :- APPLICATION U/S 482 No. - 16134 of 2018

Applicant :- Shishir Kumar Kapoor And 8 Ors

Opposite Party :- State Of U.P. And Anr

Counsel for Applicant :- Shilpa Ahuja

Counsel for Opposite Party :- G.A.

Hon'ble Anish Kumar Gupta,J.

1. Heard Ms. Shilpa Ahuja, learned counsel for the applicant and Shri Pankaj Srivastava, learned A.G.A. for the State.

2. The instant application under section 482 Cr.P.C. has been filed seeking quashing of the order dated 29.1.2015 in Complaint Case No. 2146 of 2014 (Muzammil Vs. Shishir Kumar Kapoor and others) under sections 323, 504, 506, 427 IPC police station Didauli District Amroha passed by A.C.J.M. Amroha and also to direct the learned C.J.M. Amroha to consider and decide the complaint case No. 6449 of 2015 under sections 323, 504, 506, 427 IPC police station Didauli District Amroha in pursuance of the compromise dated 18.12.2017 which is pending before learned C.J.M. Amroha.

3. Learned counsel for the applicant submitted that the matter between the parties has already been settled. Vide order dated 19.4.2023 this court directed the parties to file compromise before the trial court and to file the verified copy of the compromise by the trial court. In terms of the order dated 19.4.2023 the compromise entered into between the parties has been verified on 30.5.2023 and the report to the said effect has been received from the III Addl. Civil Judge (J.D.)/Judicial Magistrate alongwith certified copy of the order and the compromise.

4. Since the allegations against the applicants were casual in nature, a final report has been filed which was protested and upon protest the summoning order was issued against the applicants on 29.1.2015. Parties have already settled their dispute outside the court and the compromise has been executed which has also been verified by the trial court concerned. With the aforesaid settlement, the peace will prevail over the society and continuance of trial of the aforesaid criminal case will not serve any fruitful purpose.

5. In view thereof and in the light of the judgements in *Gian*

Singh Vs. State of Punjab and another (2012) 10 SCC 303, Narinder Singh and others Vs. State of Punjab (2014) 6 SCC 466 and Prabatbhai Aahir alias Prabatbhai Bhimsinghbhai Karmur and others Vs. State of Gujarat and another (2017) 9 SCC 641, the entire proceedings of the aforesaid criminal case are hereby quashed.

6. The application is **allowed**.

Order Date :- 22.11.2023

o.k.