

Court No. - 86

Case :- APPLICATION U/S 482 No. - 17727 of 2023

Applicant :- Kuldeep Singh And 5 Others

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

Counsel for Applicant :- Mata Pher

Counsel for Opposite Party :- G.A.,Ch. Dil Nisar

Hon'ble Rajiv Gupta,J.

1. Learned counsel for the opposite party no.2 has filed second short counter affidavit today in Court, which is taken on record.
2. Heard learned counsel for the applicants, learned AGA for the State, Shri Chaudhary Dil Nisar, learned counsel for the opposite party no.2 and perused the record.
3. Learned counsel for the applicants has submitted that applicants and opposite party no.2 are cousins and on account of civil dispute between the parties, the present criminal case has been instituted against the applicants, however subsequently, with the intervention of respected members of both the family and the society, the parties have amicably and genuinely settled their all disputes and differences and now, they do not have any grievance against each other.
4. Learned counsel for the applicants has next drawn the attention of the Court to the settlement agreement dated 10.04.2023 drawn between the parties, a copy of which has been annexed as Annexure 4 to this application.
5. Learned counsel for the applicants has next submitted that this Court vide order dated 19.05.2023 had directed the parties to appear before the court below and to get the settlement agreement verified.
6. Pursuant to the said order dated 19.05.2023, the parties appeared before the court below and in their presence, the court below has verified the settlement agreement and a verification report/order dated 30.05.2023 has been passed, a copy of which has been annexed as Annexure SCA-1 to the short counter affidavit, filed today.
7. Learned counsel for the applicants has next submitted that in view of the said settlement agreement drawn between

the parties as well as in order to maintain harmonious and cordial relations between them, the entire criminal proceedings against the applicants be quashed.

8. Learned counsel for the opposite party no.2 has also appeared and has filed short counter affidavit on behalf of opposite party no.2 and in para 3 of the said affidavit, settlement agreement drawn between the parties has been acknowledged.

9. Learned counsel for the opposite party no.2 has further submitted, on instructions, that opposite party no.2 has no objection, if the entire proceedings are quashed.

10. Learned AGA could not dispute the aforesaid facts.

11. This Court is not unmindful of the judgements of the Hon'ble Apex Court in the cases of ***Narindra Singh and others Vs. State of Punjab, (2014) 6 SCC 466, Parbatbhai Aahir Vs. State of Gujarat, (2017) 9 SCC 641*** and ***State of M.P. Vs. Laxmi Narayan, (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.

12. 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 present case.

13. Accordingly, the entire proceedings of Criminal Case No. 10359 of 2022 (State Vs. Kuldeep Singh and Others), arising out of Case Crime No. 59 of 2021, under Sections 420, 467, 468, 471, 477, 120-B IPC, Police Station Sadar Bazar, District Saharanpur, pending in the court of Chief Judicial Magistrate, Saharanpur, are hereby quashed.

14. This application under Section 482 CrPC is accordingly **allowed.**

Order Date :- 13.12.2023

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