

Court No. - 87

Case :- APPLICATION U/S 482 No. - 29509 of 2019

Applicant :- Natthan Singh

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

Counsel for Applicant :- Vijay Prakash Mishra, Digvijay Tiwari, Suresh Srivastava

Counsel for Opposite Party :- G.A., Chandra Bhushan Mishra, Prem Shanker Mishra

Hon'ble Neeraj Tiwari, J.

1. Heard learned counsel for the applicants, learned AGA for the State and Sri Chandra Bhushan Mishra, learned counsel for the opposite party no.2.

2. Case was heard on 16.5.2023, Court has passed the following order:-

"Heard learned counsel for the applicant, learned AGA for the State and perused the record.

The present application under Section 482 Cr.P.C. has been filed for quashing of entire proceeding in Criminal Case No. 368 of 2019 (State Vs. Natthan Singh), arising out of Case Crime No.796 of 2018, under Sections 506, 420 I.P.C., P.S. Dhoomanganj, District Prayagraj.

It has been stated that the parties have amicably settled their disputes and have entered into the compromise. The compromise deed has been annexed as Annexure 3 to the affidavit filed in support of this application.

Learned counsel for the opposite party no.2 does not dispute the aforesaid facts.

In view of the above facts, the applicant shall file an application along with the compromise deed before the concerned Court below within 15 days for verification of the compromise. On receiving the said application the Court below shall take steps for verification of the compromise, within 15 days from date of receiving application and compromise, and shall prepare a report. The parties on filing a suitable application shall also be given a certified copy of the report.

List on 17th July, 2023 along with connected matter, on which date, the applicant shall file the report of the concerned Court regarding the verification of the compromise.

Till the next date of listing, no coercive action shall be taken against

applicant in the aforesaid case."

3. Pursuant to the order of this Court dated 16.5.2023, learned Additional Chief Judicial Magistrate, Allahabad has verified the said compromise vide order dated 25.5.2023.

4. Sri Chandra Bhushan Mishra, learned counsel for the opposite party no.2 has not disputed the aforesaid facts and also submitted that in case aforesaid proceeding is quashed, he would have no objection.

5. In view of above, 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.

6. 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**, proceeding in Criminal Case No. 368 of 2019 (State Vs. Natthan Singh), arising out of Case Crime No.796 of 2018, under Sections 506, 420 I.P.C., P.S. Dhoomanganj, District Prayagraj are hereby quashed.

7. The present application is, accordingly **allowed**. No order as to costs.

Order Date :- 22.11.2023

Junaid