

Court No. - 91

Case :- APPLICATION U/S 482 No. - 27275 of 2023

Applicant :- Pappu Mehta @ Ramesh And 2 Others

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

Counsel for Applicant :- Ravindra Kumar Mishra

Counsel for Opposite Party :- G.A.,Pawan Kumar Yadav

Hon'ble Gajendra Kumar,J.

1. Heard learned counsel for the applicants, learned counsel for the opposite party no.2 and learned A.G.A. for the State and perused the record.

2. This application under Section 482 Cr.P.C. has been filed by the applicants to quash the entire proceedings of Case No. 6337 of 2022 (State vs. Pappu Mehta @ Ramesh and Others) arising out of Case Crime No. 22 of 2022, under Section 37/51/63/65 of the Copyright Act, 1957 readwith Section 420 I.P.C., P.S. Anpara, District Sonbhadra, pending in the court of Additional Civil Judge (J.D.)/ Judicial Magistrate, Court No.3, Sonbhadra and charge-sheet dated 21.03.2022 and cognizance order dated 20.05.2022 in pursuance of compromise arrived at in between the parties.

3. Learned counsel for the parties have jointly stated that the parties have arrived at settlement and the compromise has been entered into between the parties which has been filed before the trial court but the copy is not available on record. It is further submitted that no useful purpose would be served in continuing the proceedings before the Court below and the same is not only sheer wastage of time of the Court but also abuse of process of law.

4. Learned A.G.A., however, submits that it is the concerned court below, which has to verify the fact as to whether the parties have entered into compromise, hence the applicants may approach the concerned court below and move an application with respect to compromise between the parties, which will be decided in accordance with law.

5. In view of above, without expressing any opinion on the merit of the case, both the parties are directed to appear before the Court below and in case compromise application is not filed before the court below, the same is permitted to be filed along with

compromise deed as well certified copy of this order within four weeks from today. It is expected that Court below may fix a date for the verification of the compromise and after ensuring the presence of the parties, pass an appropriate order with respect to the same in accordance with law, as expeditiously as possible, preferably within a period of two months from the date of production of a certified copy of this order, if there is no other legal impediment. While passing the order verifying the compromise, the Court concerned shall also record the statements of the parties as to whether all the terms and conditions mentioned in the original compromise deed, so filed, have been fulfilled or not?

6. The Court in that scenario will allow the parties to obtain certified copy of the report as well as compromise and it will be open to the applicants to approach this Court again for quashing of the proceedings.

7. For a period of two months, no coercive action shall be taken against the applicants in the aforesaid case.

8. With the aforesaid directions, this application is finally **disposed of**.

Order Date :- 30.10.2023

Shiv