

Court No. - 92

Case :- APPLICATION U/S 482 No. - 27378 of 2023

Applicant :- Lotan Singh

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

Counsel for Applicant :- Ram Charan Lal, Kamal Singh

Counsel for Opposite Party :- G.A.

Hon'ble Anish Kumar Gupta, J.

1. Heard Shri Ram Charan Lal, learned counsel for the applicant and Shri Akhilesh 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 charge sheet dated 21.09.2015 and its cognizance/summoning order dated 06.10.2015 arising out of case crime no. 167 of 2015 under sections 420, 406, 504, 506 I.P.C. Police Station-Qilla, District Bareilly.

3. Learned counsel for the applicant submits that there was dispute with regard to transaction of property between the parties and payment of money for the said transaction.

4. Learned counsel for the applicant submits that the parties have amicably settled the dispute outside the court and the compromise was executed between the parties.

5. Vide order dated 31.07.2023, this Court had directed the parties to appear before the trial court for verification of the compromise/settlement arrived at between the parties and the same has been duly verified as per the report dated 06.09.2023 submitted by the Additional Chief Judicial Magistrate, Bareilly. The opposite party no. 2 has already received Rs. 2,50,000/- in full and final settlement due to him from the applicant herein, therefore, nothing survives in the matter.

6. In view of the verification report submitted by the Additional Chief Judicial Magistrate, Bareilly which is available on record, the learned counsel for the applicant has prayed for quashing of the entire proceedings against the applicant.

7. In view of the aforesaid facts and circumstances, the dispute between the parties is only with regard to financial transaction

with regard to sale of purchase of property in question and now the parties have amicably settled the dispute and the opposite party no. 2 has received all the amount due to him and has executed the compromise which has been duly verified by the trial court in terms of the orders dated 31.07.2023 passed by this Court and a report of verification is also available on record.

8. Therefore, in view of the judgments in the cases of **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.

9. The application is **allowed**.

Order Date :- 24.11.2023

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