

Court No. - 89

Case :- APPLICATION U/S 482 No. - 26680 of 2023

Applicant :- Kuber Bhaskar Jha And Another

Opposite Party :- State Of U.P Through Sec,Home
Department,Up

Counsel for Applicant :- Rahul Mishra,Kishan Kumar
Pathak,Sanjay Mishra

Counsel for Opposite Party :- G.A.,Anil Kumar Shukla,Anil
Kumr Shukla A/A0801/12

Hon'ble Deepak Verma,J.

1. Heard learned counsel for the applicants and learned A.G.A. for the State.
2. The present 482 Cr.P.C. application has been filed to quash the charge sheet dated 27.04.2023 along with cognizance order dated 30.05.2023 as well as the entire proceedings of Criminal Case No. 5112 of 2023 (State Vs. Kuber Bhaskar Jha and others), arising out of Case Crime No. 0155 of 2023, under Sections- 376 and 506 I.P.C., Police Station- Ghaziabad Kotwali, District- Ghaziabad, pending in the court of Civil Judge (Jr. Division)/F.T.C., Ghaziabad.
3. It has been contended by learned counsel for the applicants that the applicants and opposite party no. 2 have amicably settled their dispute out of court and entered into a compromise. Learned counsel for the applicants submits that applicant No. 1 is ready to solemnized marriage with opposite party No 2, opposite party No. 2 does not want to prosecute the applicants in the aforesaid sections, as earlier allegations was made in the FIR that on the pretext of marriage, applicant No. 1 made physical relation with the informant and thereafter refused to marry with him.
4. Learned counsel appearing for the opposite party no. 2 does not dispute the correctness of the facts.
5. Accordingly, it is provided that the parties shall appear before the court below along with a certified copy of this order on the next date fixed. It is therefore expected that the trial court may fix a date for the verification of the compromise entered into between the parties and pass an appropriate order to that effect within next

four weeks. It shall be open to the applicants to file a fresh application U/S 482 at that stage for the relief sought herein.

6. In view of the above, the present application is **disposed of**.

7. For a period of five weeks, no coercive measure shall be taken against the applicant.

8. Shri Anil Kumar Shukla has filed Vakalatnama on behalf of opposite party No. 2 and has filed short counter affidavit on 11.09.2023 and submitted that in para 4, opposite party No. 2 has stated that applicant No. 1 and opposite party no. 2 are living same village and same age group and want to live jointly.

Order Date :- 16.10.2023

A. Prajapati