

**Court No. - 88**

**Case :-** APPLICATION U/S 482 No. - 27312 of 2023

**Applicant :-** Ankit Rohela

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

**Counsel for Applicant :-** Manish Yadav

**Counsel for Opposite Party :-** G.A.

**Hon'ble Sanjay Kumar Singh,J.**

1-Heard learned counsel for the applicant, learned Additional Government Advocate for the State of U.P./opposite party No.1, Mr. Azhar Husain, learned counsel appearing on behalf of opposite party no. 2 and perused the record.

2-This application under Section 482 Cr.P.C. has been filed by the applicant with a prayer to quash the summoning order dated 04.07.2022 and entire proceedings of complaint case no. 728 of 2021 (*Shubham Bansal vs. Ankit Rohela & Others*), under Section 406 and 420 I.P.C., Police Station-Kamla Nagar, District-Agra, pending in the Court of learned Additional Civil Judge (J.D.), Court No. 4, Agra on the basis of compromise between the parties concerned.

3-Brief facts of the case are that there was business transaction between the applicant and opposite party no.2. As per the prosecution case, opposite party no.2 had sold the goods to the applicant for sale consideration amount of Rs. 5,03,612/- out of which a sum of Rs 2,68,000/- has been paid by the applicant and the dispute between the parties concerned is with regard to sum of Rs. 2,35,612/-.

4-On the matter being taken up, learned counsel for the applicant has produced a demand draft dated 12.10.2023 amounting Rs. 2,35,612/- in favour of opposite party no. 2, which has been handed over to the opposite party no. 2 who is personally present before this Court and has been identified by his counsel.

5-Learned Additional Government Advocate as well

as learned counsel appearing on behalf of opposite party no.2 submitted at the Bar that since the parties concerned have settled their dispute as mentioned above, therefore, opposite party no.2 does not want to prosecute the applicant and has no objection if the Court quashes the impugned criminal proceedings against the applicant.

6-After having heard the arguments of learned counsel for the parties, I find that after settlement arrived at between the parties in the present case, the chance of ultimate conviction is bleak, and therefore, no useful purpose is likely to be served by allowing a criminal prosecution against the applicants to continue, as the same would be futile exercise and a sheer wastage of precious time of the Court. If the parties concerned inter-se have mutually decided to bury the hatchet and settle the matter amicably in between them in a criminal litigation emanating from personal disputes of civil nature, they may be allowed to compound the offences in terms of settlement.

7-In view of the above, the proceedings of aforesaid complaint case no. 728 of 2021 (*Shubham Bansal vs. Ankit Rohela & Others*) against the applicant are hereby quashed.

8-In the conspectus of the aforesaid, this application under Section 482 Cr.P.C. is **allowed** in terms of compromise as mentioned above.

**Order Date :-** 16.10.2023

Saurabh