

Court No. - 89

Case :- APPLICATION U/S 482 No. - 28233 of 2023

Applicant :- Shadab And 3 Others

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

Counsel for Applicant :- Ashok Kumar Singh Bais

Counsel for Opposite Party :- G.A.,M D Shah

Hon'ble Deepak Verma,J.

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

2. The present 482 Cr.P.C. application has been filed to quash the impugned charge-sheet dated 03.02.2016, cognizance order dated 18.01.2017 as well as entire proceeding of Criminal Case No.2/9/2017 arising out of Case Crime No.130 of 2015 (State Vs.Sadab and others), under Sections 363, 366 I.P.C., Police Station-Kairana, District- Shamli, pending in the court of Additional Chief Judicial Magistrate 11th Shamli.

3. Learned counsel for the applicants submits that applicant no.1 and opposite party no.2 have amicably settled their dispute out of the Court. He next submitted that victim has solemnized marriage with applicant no.1. Applicant no.1 and victim are living as husband and wife. Opposite party no.2 does not want to proceed the case against the applicants and has compromised the matter. Compromise application has been filed as Annexure no.1 to the supplementary affidavit.

4. Learned counsel appearing for the opposite party no. 2 has filed counter affidavit and submitted that victim has solemnized marriage with applicant no.1 on her own will and choice and they have settled all disputes.

5. Accordingly, it is provided that the parties shall appear before the court below along with a certified copy of this order and compromise deed 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 applicant 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 applicants.

Order Date :- 31.10.2023

SKD