

Court No. - 89

Case :- APPLICATION U/S 482 No. - 30795 of 2023

Applicant :- Virendra And 5 Others

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

Counsel for Applicant :- Nagendra Bahadur Singh, Kumar
Ashutosh Srivastava

Counsel for Opposite Party :- G.A., Nagendra Pratap Singh

Hon'ble Deepak Verma, J.

1. Compromise affidavit filed today by the opposite party no. 2, is taken on record.
2. Heard learned counsel for the applicants, learned counsel for the opposite party no. 2 and learned A.G.A. for the State.
3. This application under Section 482 Cr.P.C. has been filed by the applicants to quash the summoning order dated 22.10.2018 passed by A.C.J.M/Economical Offences, Moradabad as well as entire criminal proceedings of Criminal Case No. 10547 of 2018 (State of U.P. vs. Virendra and Others), arising out of Case Crime No. 411 of 2017, under Sections 147, 148, 452, 354, 323, 325 IPC, P.S. Bilari, District- Moradabad, pending in the Court of Judicial Magistrate, Moradabad.
4. Counsel for the applicants submits that offence under alleged sections is compoundable offence under Section 320 Cr.P.C. and parties have amicably settled their dispute out of court in terms of compromise deed dated 05.09.2023, which has been filed by the opposite party no. 2 by means of a compromise affidavit. He further submits that opposite party no. 2 does not want to proceed any further against the applicants.
5. Learned counsel appearing for the opposite party no. 2 does not dispute the correctness of the facts.
6. Accordingly, it is provided that the parties shall appear before the court below along with a certified copy of this order and a copy of 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 applicants to file a fresh application U/S 482 at that stage for the relief sought herein.

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

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

Order Date :- 16.10.2023

Aditya