

Court No. - 92

Case :- APPLICATION U/S 482 No. - 30359 of 2023

Applicant :- Khush Mohd. And 2 Others

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

Counsel for Applicant :- Mohd. Ashraf

Counsel for Opposite Party :- G.A.

Hon'ble Anish Kumar Gupta,J.

1. Heard Sri Mohd. Ashra, learned counsel for the applicants and Sri Akhilesh Kumar Srivastava, learned AGA for State.

2. The instant application, under Section 482 Cr.P.C., has been filed seeking quashing of charge sheet No. 415 of 2019 dated 10.12.2019 as well as the entire proceedings of Criminal Case No. 9092 of 2022, State v. Khush Mohd and Others, arising out of Case Crime No. 522 of 2019, under Sections 452, 323, 504 and 506 IPC, Police Station C.B. Ganj, District Bareilly, pending before the ACJM, III, Bareilly, on the basis of compromise.

3. Learned counsel for the applicants submits that the due to trivial disputes, the instant criminal case was lodged against the applicants herein by the Opposite Party No.2. Due to intervention of elders, well wishers of both the parties, the matter has been settled between the parties and in pursuance of the order dated 28.08.2023 passed by this court, the learned trial court has verified the said compromise between the parties, on 16.10.2023, after recording the statement of complainant, Opposite Party No.2 and her husband Shamsheer and in view of compromise between the parties, duly verified by the trial court, learned counsel for the applicants prayed for quashing of the entire proceedings of the instant case against the applicants herein.

4. In view of the aforesaid facts and circumstances of the case, learned AGA for State did not dispute the factum of compromise between the parties and has no objection for quashing of proceeding on the basis of compromise between the parties.

5. In view of the aforesaid submissions made by the learned counsel for the parties and in view of the compromise between the parties, which has been duly verified by the trial court and in pursuance of the order dated 28.09.2023 passed by this court

and, the instant application, since dispute between the parties was of trivial nature and was largely a personal dispute due to the quarrel between the children of both the families, and in view of the aforesaid compromise between the parties, no fruitful purpose would be served by keeping the instant criminal proceedings pending against the applicants herein, the instant application is **allowed** and the entire proceedings of Criminal Case No. 9092 of 2022 (State v. Khush Mohd and Others), arising out of Case Crime No. 522 of 2019, under Sections 452, 323, 504 and 506 IPC, Police Station C.B. Ganj, District Bareilly, pending before the ACJM, III, Bareilly, are hereby **quashed**.

Order Date :- 8.12.2023

Akram