

**Court No. - 86**

**Case :-** APPLICATION U/S 482 No. - 32018 of 2022

**Applicant :-** Amardeep And 2 Others

**Opposite Party :-** State Of U.P And Another

**Counsel for Applicant :-** Mayank Yadav,Vivek Kumar Singh

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

**Hon'ble Rajiv Gupta,J.**

1. Heard learned counsel for the applicants, learned AGA for the State, Shri Anubhav Kumar Vimal, learned counsel for opposite party no.2 and perused the record.

2. This application under Section 482 Cr.P.C. has been filed with the prayer to quash the entire proceedings of Session Trial No. 189 of 2018 (State Vs. Amardeep and others), arising out of Case Crime No.546 of 2017, under Sections 323, 307, 494 IPC, Police Station Khekara, District Baghpat, pending in the court of Additional Sessions Judge/Fast Track Court No.2, Baghpat.

3. Learned counsel for the applicants has submitted that opposite party no.2 is the wife of applicant no. 1 and applicant nos.2 and 3 are her parents-in-law and on account of matrimonial discord, the instant criminal case was instituted against the applicants, however subsequently, with the intervention of respected members of the family and society, the parties have amicably and genuinely settled their all disputes and differences in order to maintain harmonious and cordial relations between them and now, they do not have any grievance against each other.

4. Learned counsel for the applicants has next drawn the attention of this Court to the compromise deed dated 30.08.2022 drawn between the parties, a copy of which has been annexed as Annexure-5 to this application.

5. This Court vide its order dated 04.01.2023 had directed the parties to appear before the court below and file a copy of the said compromise deed, which shall be verified by the court below and after verification of the compromise, a report be submitted to this Court.

6. Pursuant to the said order dated 04.01.2023, the parties appeared before the court below and in their presence, after due verification of the contents of the compromise made between the parties, an order dated 13.01.2023 has been passed by the court below verifying the said compromise.

7. Learned counsel for the applicants has next submitted that in view of the said compromise as well as the report of the court below and in order to maintain harmonious and cordial relations between the parties, entire proceedings against the applicants be quashed.

8. Learned counsel for opposite party no.2 has also appeared and has acknowledged the said compromise. He has further submitted that in view of the aforesaid compromise, applicant no.1 and opposite party no.2 have restored their relationship and now living together as husband and wife. It is further stated, on instructions, that opposite party no.2 has no objection if the entire proceedings are quashed.

9. Learned AGA could not dispute the aforesaid facts.

10. This Court is not unmindful of the judgement of the Hon'ble Apex Court in the case of **Narindra Singh and others Vs. State of Punjab, ( 2014) 6 SCC 466, Parbatbhai Aahir @ Parbatbhai Vs. State of Gujarat (2017) 9 SCC, 641, Gian Singh Vs. State of Punjab (2012) 10 SCC 303 and State of M.P. Vs. Laxmi Narayanan (2019) 5 SCC 688**, wherein Hon'ble Apex Court has categorically held that compromise can be made between the parties even in respect of certain cognizable and non-compoundable offences. Reference may also be made to the decision given by this Court in **Shaifullah and others Vs. State of U.P. and another [2013 (83) ACC 278]**, in which, law expounded by the Hon'ble Apex Court in the aforesaid cases has been explained in detail.

11. Considering the facts and circumstances of the case, as noted herein above, and also the submissions made by learned counsel for the parties, this Court is of the considered opinion that no useful purpose would be served by prolonging the proceedings of the above mentioned case.

12. Accordingly, the entire proceedings of Session Trial No. 189 of 2018 (State Vs. Amardeep and others), arising

out of Case Crime No.546 of 2017, under Sections 323, 307, 494 IPC, Police Station Khekara, District Baghpat, pending in the court of Additional Sessions Judge/Fast Track Court No.2, Baghpat, are hereby quashed.

13. This application under Section 482 CrPC is accordingly allowed.

**Order Date :- 28.11.2023**

RPD