

Court No. - 87

Case :- APPLICATION U/S 482 No. - 33020 of 2023

Applicant :- Uttam Singh And 4 Others

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

Counsel for Applicant :- Adesh Kumar, Akhileshwar Pratap Singh

Counsel for Opposite Party :- G.A.

Hon'ble Neeraj Tiwari, J.

1. Heard learned counsel for the applicant and learned A.G.A. for the State.
2. The present 482 Cr.P.C. application has been filed to quash the charge-sheet dated 25.10.2021, cognizance order dated 06.04.2022 as well as entire proceeding of Case No.182 of 2022 (State vs. Uttam Singh & Ors), arising out of Case Crime No.253 of 2021, under Sections-498A, 323, 506 I.P.C., Section 3/4 of D.P. Act, Police Station-Subhash Nagar, District-Bareilly, on the basis of compromise.
3. Learned counsel for the applicant submitted that present case is arising out of matrimonial dispute. He next submitted that parties have entered into compromise. He next submitted that applicant earlier approached this Court by filing Application U/s 482 Cr.P.C. No.11692 of 2022, which was disposed of vide order dated 12.07.2022 with direction for verification of the compromise deed. He next submitted that pursuant to order of this Court dated 12.07.2022, compromise has been verified by the trial Court vide order dated 27.07.2022. He next submitted that in light of compromise entered between the parties, criminal proceeding against the applicants may be quashed.
4. Learned A.G.A. could not dispute the aforesaid facts
5. In view of the facts and circumstances of the case, the applicant and opposite party Nos. 2 do not want to pursue the case any further as stated by them. The matter has been mutually settled between the parties, therefore, no useful purpose would be served in proceeding with the matter further.
6. Thus in view of the well settled principle of law as laid down by the Hon'ble Apex Court in the matters of **Krishnappa & Ors.**

vs. State of Karnataka; 2021 0 Supreme(SC) 529, Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and Ors. vs. State of Gujarat and another; 2017 9 SCC 641, B.S. Joshi Vs. State of Haryana; 2003(4) SCC 675, Nikhil Merchant Vs. Central Burea of Investigation and another; (2008) 9 Supreme Court Cases 677, Gian Singh Vs. Stated of Punjab; (2012) 10 SCC 303 and Narinder Singh & others Vs. State of Punjab and another; (2014) Supreme Today 642, the proceedings of the aforesaid case is hereby quashed.

7. The present application is, accordingly **allowed**.

8. In case, there is any concealment of facts by the applicants, opposite party No.2 is at liberty to move recall application.

Order Date :- 30.11.2023

Amit/-