

Court No. - 89

Case :- APPLICATION U/S 482 No. - 44423 of 2023

Applicant :- Purna Nand Kandpal

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

Counsel for Applicant :- Ch. Dil Nisar, Ankit Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma, J.

1. Sri Raju Kumar, Advocate has filed his Vakalatnama on behalf of the opposite party no. 2, which is taken on record.

2. Heard learned counsel for the applicant, learned counsel for the opposite party no. 2 and learned A.G.A. for the State.

3. The present 482 Cr.P.C. application has been filed to quash the entire criminal proceedings of Case No. 11974 of 2021 (State vs. Veerpal and others), arising out of Case Crime No. 208 of 2016, under Sections 420, 467, 468, 471 IPC, Police Station- Bhutta, District- Bareilly, pending in the court of C.J.M., Bareilly as well as the impugned charge sheet dated 18.10.2016 along with cognizance order dated 21.10.2016 passed by A.C.J.M., Room No. 3, Bareilly in wake of compromise dated 01.03.2017 along affidavit dated 11.03.2022 entered into between the parties.

4. It has been contended by learned counsel for the applicant that the dispute between the parties is a civil dispute. He next contended that applicant and opposite party no. 2 have amicably settled their dispute out of court and entered into a compromise on 27.02.2017 and thereafter, informant moved an application before the trial court that parties have already entered into a compromise and no dispute remains between the parties. He next submits that in terms of the aforesaid compromise deed entered into between the parties, instant proceedings may be quashed. A copy of the compromise deed entered into between the parties has been annexed as Annexure-3 to the application.

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

fresh compromise deed entered into between the parties 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 applicant.

Order Date :- 5.12.2023

Aditya