

**Court No. - 86**

**Case :- APPLICATION U/S 482 No. - 30399 of 2021**

**Applicant :- Smt. Laxmi And 3 Others**

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

**Counsel for Applicant :- Pankaj Sharma**

**Counsel for Opposite Party :- G.A.,Ashutosh Pandey**

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

1. Learned counsel for the applicants has filed supplementary affidavit today in Court, which is taken on record.

2. Heard learned counsel for the applicants, learned AGA for the State, Shri Ashutosh Pandey, learned counsel for opposite party no.2 and perused the record.

3. This application under Section 482 Cr.P.C. has been filed with the prayer to quash entire proceedings of Case No. 2027 of 2012, arising out of Case Crime No.220A of 2011, under Sections 323, 504, 506 IPC, Police Station Sadar Bazar, District Mathura.

4. Learned counsel for the applicants has submitted that parties are next door neighbours and on account of trivial dispute over flow of water, 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.

5. Learned counsel for the applicants has next drawn the attention of this Court to the compromise applications dated 08.10.2018 and 04.07.2022 supported by an affidavit drawn between the parties, a copy of which has been annexed as Annexure-3 to this application and Annexure SA-1 to the supplementary affidavit respectively.

6. This Court vide its order dated 17.02.2022 had directed the parties to appear before the court below and file a copy

of the compromise deed, which shall be verified by the court below and after verification of the compromise, a report be submitted to this Court.

7. Pursuant to the said order dated 17.02.2022, the parties appeared before the court below and in their presence, after due verification of the contents of the compromise deed dated 04.07.2022 made between the parties, an order dated 05.07.2022 has been passed by the court below verifying the said compromise, a copy of which has been annexed as Annexure-SA1 to the supplementary affidavit filed today.

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

9. Learned counsel for opposite party no.2 has also appeared and has filed a short counter affidavit and in paragraph 8 of the said affidavit, the earlier compromise has been acknowledged. It is further stated in paragraph 13 of the said affidavit that opposite party no.2 has no objection, if the entire proceedings are quashed.

10. Learned AGA could not dispute the aforesaid facts.

11. 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.

12. 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.

13. Accordingly, the entire proceedings of Case No. 2027 of 2012, arising out of Case Crime No.220A of 2011, under Sections 323, 504, 506 IPC, Police Station Sadar Bazar, District Mathura, are hereby quashed.

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

**Order Date :- 11.12.2023**

Subham