

Court No. - 87

Case :- APPLICATION U/S 482 No. - 36587 of 2023

Applicant :- Asif Ansari And 2 Others

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

Counsel for Applicant :- Sanjay Singh, Shivam Singh

Counsel for Opposite Party :- G.A., Devendra Vikram Singh

Hon'ble Neeraj Tiwari, J.

1. Sri Devendra Vikram, Advocate has put in appearance and file Vakalatnama along with short counter affidavit on behalf of opposite party No. 2, which is taken on record.

2. Heard learned counsel for the applicants, learned AGA for the State and Sri Devendra Vikram, learned counsel for opposite party No. 2.

3. The present application under section 482 Cr.P.C. has been filed for quashing the charge sheet submitted against Izhar Ahmad @ Roomi/applicant No. 2, under Sections 419, 420, 467, 468, 471, 504, 506 IPC on 14.09.2020 whereupon cognizance was taken by Magistrate on 01.10.2020, against Kamran/applicant No. 3 on 15.10.2021 under Sections 419, 420, 467, 468, 471, 504, 506 IPC whereupon cognizance was taken by Magistrate on 18.10.2021 and against Asif Ansari/applicant No. 1 under Sections 419, 420, 467, 468, 471, 504, 506 IPC on 26.12.2022 arising out of Case Crime No. 429 of 2018, P.S.- Kareilly, District-Prayagraj.

4. Learned counsel for applicants submitted that present criminal proceeding is arising out of civil dispute and now parties have entered into compromise. It is next submitted that in short counter affidavit, facts of compromise has been accepted. Therefore, in light of compromise, present proceeding may be quashed.

5. Sri Devendra Vikram, learned counsel for opposite party No. 2 has not disputed the aforesaid facts and submitted that in case present proceeding is quashed, he would have no objection.

6. In view of the facts and circumstances of the case, the applicants and opposite party no. 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.

7. 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.

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

9. No order as to costs.

Order Date :- 31.10.2023

Sartaj