

Court No. - 88

Case :- APPLICATION U/S 482 No. - 37347 of 2023

Applicant :- Naeem And Another

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

Counsel for Applicant :- Irshad Ahmad

Counsel for Opposite Party :- G.A.

Hon'ble Sanjay Kumar Singh,J.

1. Heard learned counsel for the applicants as well as learned A.G.A. for the State of U.P./opposite party no.1.
2. This application under Section 482 Cr.P.C. has been filed by the applicants with a prayer to quash the proceeding arising out of Case Crime No. 88 of 2023 (State Vs. Naeem and others), under Sections 354, 354(A), 323, 504, 506 I.P.C., Police Station Pakbada, District Moradabad, pending in the court of learned Chief Judicial Magistrate, Moradabad.
3. Main substratum of argument of learned counsel for the applicants is that the parties concerned have settled their dispute outside the Court and a compromise application has been filed before the concerned court below.
4. From perusal of record, I find that no such compromise application, which is alleged to have been filed by the applicants before the trial court, has been filed along with this application. Even no averment regarding filing of said compromise application before the concerned court below has been mentioned in the affidavit.
5. Learned counsel for the applicants after advancing his arguments at the some length submits that the applicants do not want to press this application, therefore, they may be allowed to withdraw this application with liberty to file fresh application with better particulars.
6. In view of the statement made by Mr. Irshad

Ahmad, learned counsel for the applicants at the Bar, the instant application is dismissed as not pressed with aforesaid liberty, as prayed for.

7. Office is directed to return the certified copy of the documents, if any, to the counsel for the applicants within a week, after retaining photocopies of the same on record.

Order Date :- 7.12.2023

Kashifa