

Court No. - 92

Case :- APPLICATION U/S 482 No. - 35551 of 2023

Applicant :- Naiem And Another

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

Counsel for Applicant :- Dinesh Kumar Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Anish Kumar Gupta,J.

1. Heard Sri Dinesh Kumar Pandey, learned counsel for the applicants and the Sri Kamlesh Kumare Tripathi, learned AGA for the State.

2. The instant application under Section 482 Cr.P.C. has been filed seeking quashing of the charge sheet dated 16.10.2020 filed on the basis of compromise between the applicants and opposite party no.2 in S.S.T. No. 169 of 2023 arising out of Case Crime No. 330 of 2018, under Sections 363, 366, 376 IPC and Section 3/4 D.P.Act, P.S. Shyamdeurwa, District Maharajganj., pending before the Special Judge, POCSO Act, Maharajganj.

3. From the record, it is apparent that on 11.05.2023, the earlier application under Section 482 Cr.P.C. filed by the applicant no.1 being Application under Section 482 No. 13500 of 2023 (Naiem vs. State of U.P. and others) was dismissed by this Court by considering all aspects of the matter including the 164 Cr.P.C. statements and the fact of Nikah between the parties, which is again being alleged by learned counsel for the applicants, alleging the compromise between the parties.

4. Therefore, this being a successive 482 application filed by the applicants herein, the same is devoid of merits and is hereby **dismissed**.

Order Date :- 7.11.2023

Ashish Pd.