Court No. - 87

Case :- APPLICATION U/S 482 No. - 39959 of 2019

Applicant :- Nasir And 3 Others
Opposite Party :- State of U.P. and Another
Counsel for Applicant :- Syed Faiz Hasnain,Mohd. Hasham
Counsel for Opposite Party :- G.A.,Krishna Dutt Tiwari

Hon'ble Neeraj Tiwari,J.

1. Heard learned counsel for the applicants, learned AGA for the State and Sri Krishna Dutt Tiwari, learned counsel for opposite party No. 2.

2. The present application under section 482 Cr.P.C. has been filed for quashing the order dated 01.04.2017 passed by A.C.J.M., Court No. 2, Moradabad in Case No. 09 of 2016 as well as order dated 22.09.2017 passed by Additional Sessions Judge, Court No. 2, Moradabad in Criminal Revision No. 89 of 2017 and order dated 08.05.2019 passed by A.C.J.M., Court No. 1, Moradabad in Case No. 4737 of 2017, under Sections 452, 323, 324, 504, 506 IPC, P.S. -Mundapande, District -Moradabad.

3. Learned counsel for applicants submitted applicants and opposite party No. 2 are residents of same locality and under some understanding, criminal proceedings are initiated by both the parties. Ultimately, they have entered into compromise and no dispute is remain as on date. It is next submitted that in the light of compromise between the parties, connected Application U/S 482 No. 20976 of 2018 has been allowed by this Court vide order dated 06.11.2023. Therefore, in light of compromise, present proceeding may be quashed.

4. Sri Krishna Dutt Tiwari, 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.

5. 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.

6. 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.

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

8. No order as to costs.

Order Date :- 6.11.2023
Sartaj

Digitally signed by :-
SARTAJ AHMAD
High Court of Judicature at Allahabad