

Court No. - 87

Case :- APPLICATION U/S 482 No. - 36786 of 2023

Applicant :- Shyoraj And 3 Others

Opposite Party :- State Of U.P. And 4 Others

Counsel for Applicant :- Chandra Bhan Kushwaha

Counsel for Opposite Party :- G.A.,Sarvajeet Singh

Hon'ble Neeraj Tiwari,J.

1. Short counter affidavit filed today is taken on record.
2. Heard learned counsel for the applicants, learned A.G.A. for the State and Sri Sarvajeet Singh, learned counsel for opposite party Nos. 2 to 5.
3. The present 482 Cr.P.C. application has been filed to quash the charge sheet dated 16.03.2022, cognizance order dated 29.06.2022 as well as entire proceedings of Case No. 14401 of 2022, arising out of Case Crime No. 0282 of 2021, under Sections- 308, 324, 325, 323 I.P.C., Police Station- Ughaiti, District- Badaun.
4. Learned counsel for the applicants submitted that due to some confusion, a scuffle took place between the parties and ultimately, parties entered into compromise on the advice of respectable persons of the society on 17.11.2022, therefore, in light of compromise entered between the parties, criminal proceedings against the applicants may be quashed.
5. Learned counsel for the opposite party No. 2 has filed short counter affidavit, in which he has not objected the aforesaid facts and submitted that in case proceedings against the applicants 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 reported in **2003(4) SCC 675 (B.S. Joshi) Vs. State of Haryana**) as well as the judgement of the Apex Court

reported in *J.T. 2008() SC 192 (Nikhil Merchant Vs. Central Bureau of Investigation and another)*, as well as judgment of the Apex Court reported in *(2012) 10 SCC 303 (Gian Singh Vs. Stated of Punjab)* and reported in *(2014) Supreme Today 642 (Narinder Singh & others Vs. State of Punjab and another)*, 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