

Court No. - 4

Case :- APPLICATION U/S 482 No. - 38103 of 2023

Applicant :- Ramarekha And 4 Others

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

Counsel for Applicant :- Aditya Kumar Yadav, Anurag Dubey

Counsel for Opposite Party :- G.A.

Hon'ble Prakash Padia, J.

1. Sri Rakesh Yadav, Advocate filed his Vakalatnama on behalf of opposite Party No.2, the same is taken on record.
2. Heard learned counsel for the applicants, learned A.G.A. for the State-respondent and Sri Rakesh Yadav, learned counsel for opposite party No.2.
3. The applicants have preferred the present Application under Section 482 of Code of Criminal Procedure, 1973 with the prayer to quash the entire proceedings of Complaint Case No.237 of 2012 (Sitaram Vs. Ramarekha and others) under Sections 323, 504 & 506 I.P.C. Police Station Mahuli District Sant Kabir Nagar in view of the compromise dated 05.09.2023 pending in the Court of Chief Judicial Magistrate Sant Kabir Nagar.
4. It is submitted by learned counsel for the applicants that the parties have already entered into compromise on 05.09.2023 copy of which is appended as Annexure No.5 to the affidavit and in view of the compromise, the opposite party does not want to proceed with the case.
5. Sri Rakesh Yadav, learned counsel for respondent No.2 admitted that the compromise has been taken place between the parties voluntarily and the opposite party No.2 does not want to proceed with the matter further.

5. Accordingly, the parties are directed to appear before the court below along with certified copy of this order and move an application for verification of the compromise deed annexing copy of the original compromise deed within a period of 15 days from today before the Court concerned. If such an application along with compromise deed will be filed within stipulated period, the court below is directed to verify the contents of the aforesaid compromise and after verifying the same, obtained the signatures of the parties to the aforesaid compromise and both the parties put their signatures and made statement that they were entered into the compromise voluntarily.

6. In case, the Court concerned finds that the parties have entered into the compromise voluntarily and they do not want to proceed with the matter, the Court below will pass appropriate orders in the matter.

7. With the aforesaid observations, the application under Section 482 Cr.P.C. is disposed off.

8. Till the order passed on the verification application, no coercive action be taken against the applicants.

Order Date :- 13.10.2023

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