

Court No. - 89

Case :- APPLICATION U/S 482 No. - 39759 of 2023

Applicant :- Roop Chandra And 3 Others

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

Counsel for Applicant :- Yogesh Tiwari

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma,J.

1. Heard learned counsel for the applicants and learned A.G.A. for the State.
2. The present 482 Cr.P.C. application has been filed to quash the charge sheet dated 24.11.2014 as well as the entire proceedings of Criminal Case No.1265 of 2018 arising out of Case Crime No.,117 of 2013 (State Vs. Roop Chandra and others), under Sections 323, 427, 308 I.P.C, Police Station- Tharwai, District- Allahabad, pending in the court of Additional Chief Judicial Magistrate-5, Allahabad.
3. Learned counsel for the applicants submits that applicant no.1 and opposite party no.2-informant/injured are real brother and on some dispute regarding property, present incident occurred. Now both the parties have settled the dispute out of the Court and opposite party no.2-informant/injured does not want to proceed against the applicant and other co-accused in the aforesaid case. Copy of the compromise deed has been filed as Annexure 7 to the application.
4. Learned counsel appearing for the opposite party no. 2 does not dispute the correctness of the fact.
5. Accordingly, it is provided that the parties shall appear before the court below along with a certified copy of this order on the next date fixed. It is, therefore, expected that the trial court may fix a date for the verification of the compromise entered into between the parties and pass an appropriate order to that effect within next four weeks. It shall be open to the applicants to file a fresh application U/S 482 at that stage for the relief sought herein.
6. In view of the above, the present application is **disposed of**.
7. For a period of five weeks, no coercive measure shall be taken against the applicants.

Order Date :- 2.12.2023

SKD