

**Court No. - 86**

**Case :-** APPLICATION U/S 482 No. - 37278 of 2023

**Applicant :-** Anil Sharma

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

**Counsel for Applicant :-** Ram Ker Singh

**Counsel for Opposite Party :-** G.A.

**Hon'ble Rajiv Gupta,J.**

1. Heard learned counsel for the applicant, learned AGA for the State and perused the record.
2. This application under Section 482 Cr.P.C. has been filed with a prayer to quash the entire Criminal Case No. 345 of 2016 (State Vs. Anil Sharma), under Sections 419, 420, 406, 120-B IPC arising out of Case Crime No. 62 of 2015, Police Station- Rakabganj, District- Agra, pending in the court of Chief Judicial Magistrate, Agra.
3. Learned counsel for the applicant has submitted that on account of monetary discord between the parties, the present criminal case was instituted by opposite party no.2 against the applicants, however with the intervention of the respected members of both the family and society, the parties have amicably and genuinely settled all their disputes and differences and now they do not have any grievance against each other.
4. Learned counsel for the applicant has next drawn the attention of the Court to a compromise application dated 8.9.2023 drawn between the parties, a copy of which has been annexed as Annexure No. 2 to this application.
5. Learned counsel for the applicant has next submitted that earlier a compromise dated 15.4.2023 was made between the parties, which was brought on record of Application u/s 482 No. 45906 of 2018 by means of a supplementary affidavit and this Court vide order dated 21.8.2023 had disposed of the said application directing the parties to appear before the court below and get verified the compromise made between the parties. Pursuant thereto the parties appeared before the court below and filed the instant compromise dated 8.9.2023, which has been verified by the court below and a verification report dated 16.9.2023 has been forwarded to this Court, which is annexed as Annexure No. 2 to this application.
6. Learned counsel for the applicant has next submitted that in view of the compromise made between the parties, which has been verified by the court below and in order to maintain cordial and harmonious relations between them, the entire criminal proceedings be quashed.

7. AGA could not dispute the aforesaid facts.

8. This Court is not unmindful of the judgements of the Apex Court in the cases of :-

**1. B.S. Joshi and others Vs. State of Haryana and another (2003) 4 SCC 675.**

**2. Nikhil Merchant Vs. Central Bureau of Investigation [2008) 9 SCC 677].**

**3. Manoj Sharma Vs. State and others ( 2008) 16 SCC 1.**

**4. Gian Singh Vs. State of Punjab (2012) 10 SCC 303.**

**5. Narindra Singh and others Vs. State of Punjab ( 2014) 6 SCC 466.**

Wherein the Apex Court has categorically held that compromise can be made between the parties even in respect of certain cognizable and non compoundable offences. Reference may also be made to the decision given by this Court in **Shaifullah and others Vs. State of U.P. and another [2013 (83) ACC 278]**, in which the law expounded by the Apex court in the aforesaid cases has been explained in detail.

9. Considering the facts and circumstances of the case, as noted herein above, and also the submissions made by the counsel for the parties, the court is of the considered opinion that no useful purpose shall be served by prolonging the proceedings of the above mentioned case.

10. Accordingly, the entire proceedings of Criminal Case No. 345 of 2016 (State Vs. Anil Sharma), under Sections 419, 420, 406, 120-B IPC arising out of Case Crime No. 62 of 2015, Police Station- Rakabganj, District- Agra, pending in the court of Chief Judicial Magistrate, Agra, are hereby quashed.

11. This application under Section 482 CrPC is accordingly allowed.

**Order Date :- 3.11.2023**

KU