

Court No. - 92

Case :- APPLICATION U/S 482 No. - 37380 of 2023

Applicant :- Dhirendra Kumar Yadav

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

Counsel for Applicant :- Sanjay Kumar Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Anish Kumar Gupta,J.

1. Heard Sri Sanjay Kumar Yadav, learned counsel for the applicant and Sri Sandeep Choudhary, learned A.G.A. for the State.
2. The instant application has been filed seeking quashing of the charge-sheet dated 04-09-2021 as well as summoning order dated 13-04-2022 and entire proceedings of Case Crime No. 02 of 2021 (State Vs. Dhirendra), under Sections 420, 467, 468, 471, 406, 504, 506 IPC, P.S. Devgaon, district Azamgarh, pending in the court of Chief Judicial Magistrate, Court No.10, Azamgarh, on the basis of compromise arrived at between the parties.
3. Learned counsel for the applicant submits that the instant case was filed due to some disputes between the parties with regard to the sale and purchase of the property. Learned counsel for the applicant further submits that the parties have settled their disputes amicably and a written compromise was executed between the parties.
4. Vide order dated 18-10-2022 passed by this Court in an Application U/S 482 No. 30364 of 2022, the compromise between the parties were directed to be verified by the trial court. Learned counsel for the applicant further submits that in terms of the said order dated 18-10-2022 the said compromise deed dated 12-09-2022 was produced before the learned trial court and on 12-01-2023 the learned trial court has verified the said compromise between the parties.
5. Learned counsel for the applicants submits that looking at the allegations made in the instant case where the applicants and the opposite party no.2 have settled their disputes and entered into compromise which has been duly verified by the trial court to which the learned A.G.A. has no objection, the proceedings of the instant case are liable to be quashed by this Court.

6. Having heard the submissions made by the learned counsel for the parties and this Court has carefully perused the record of the case. Since the parties have settled their disputes amicably, which was purely of a civil and private in nature, no fruitful purpose would be served by continuing the criminal proceedings against the applicants herein, therefore, in the view of the guidelines given by the Apex Court in *Narinder Singh & Ors. vs. State of Punjab*, (2014) 6 SCC 466 : *Prabathbai Aahir Alias Prabathbai Bhimsinghbhai Karmur and others vs. State of Gujarat and Another*, (2017) 9 SCC 641 and *Gian Singh vs. State of Punjab and Another*, (2012) 10 SCC 303, the instant application deserved to be allowed.

6. In view thereof, the instant application is accordingly **allowed** and the proceedings of Case Crime No. 02 of 2021 (State Vs. Dhirendra), under Sections 420, 467, 468, 471, 406, 504, 506 IPC, P.S. Devgaon, district Azamgarh, pending in the court of Chief Judicial Magistrate, Court No.10, Azamgarh are hereby **quashed**.

Order Date :- 17.10.2023

pks