

Court No. - 4

Case :- APPLICATION U/S 482 No. - 38090 of 2023

Applicant :- Abhishek Singh

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

Counsel for Applicant :- Nirbhaya Kumar Mishra, Vijeta Tiwari

Counsel for Opposite Party :- G.A.

Hon'ble Prakash Padia, J.

1. Heard learned counsel for the applicant and learned A.G.A. for the State-respondent.
2. The applicant has preferred the present Application under Section 482 of Code of Criminal Procedure, 1973 with the prayer to quash the and summoning order dated 10.08.2022 and the Charge-sheet dated 09.08.2022 as well as entire proceedings of Case No.150314 of 2012 (State Vs. Abhishek Singh and others) arising out of Case Crme No.345 of 2021 under Sections 419, 420, 467, 468, 409 I.P.C. Police Station Lalpur/Pandeypur District Varanasi on the basis of compromise dated 31.08.2022 pending in the Court of Chief Judicial Magistrate Varanasi.
3. It is submitted by learned counsel for the applicant that the parties have already entered into compromise on 31.08.2022 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. Learned counsel for the applicants argued that parties have filed aforesaid compromise deed before the court below on 19.09.2023 and sought a direction to the concerned court below for the verification of the said compromise.
4. 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 within a period of 15 days from today before the Court concerned. If such an application 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 without any coercion.

5. 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.

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

7. Till the order passed on the verification application, no coercive action be taken against the applicant.

Order Date :- 13.10.2023

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