Court No. - 87

Case :- APPLICATION U/S 482 No. - 37551 of 2023

Applicant :- Nem Singh
Opposite Party :- State of U.P. and Another
Counsel for Applicant :- Rateesh Singh
Counsel for Opposite Party :- G.A.

Hon'ble Neeraj Tiwari,J.

1. Sri Hariom Mishra, Advocate has filed Vakalatnama alongwith short counter affidavit on behalf of opposite party no.2, which is taken on record.

2. Heard learned counsel for the applicants, learned AGA for the State and Sri Hariom Mishra, learned counsel for opposite party no. 2.

3. The present application under section 482 Cr.P.C. has been filed for quashing the charge sheet dated 10.9.2014 as well as proceedings of Sessions Trial No.477 of 2014 (State of U.P. vs. Naim Singh) arising out Case Crime No. 350 of 2014, under Sections- 498-A, 307, 323, 504, 506 IPC, Police Station-Sadabad, District- Hatras.

4. Learned counsel for the applicants submitted that present matter is arising out of matrimonial dispute and now parties have entered into compromise. He next submitted that now applicant and opposite party no.2 are decided to living together and this fact has also been mentioned in the short counter affidavit filed by the opposite party no.2. He lastly submitted that in light of compromise as well as short counter affidavit filed by opposite party no.2, present proceeding may be quashed.

5. Sri Hariom Mishra, learned counsel for opposite party no. 2 has supported the case of the applicants on the basis of short counter affidavit. He further submitted that in case this Court is pleased to quash the criminal proceeding pending against the applicants, he has no objection.

6. In view of above, the applicants and respondent no. 2 do not want to pursue the case any further as stated by them. The matter has been mutually settled between the parties, therefore, no useful

purpose would be served in proceeding with the matter further.

7. Thus in view of the well settled principle of law as laid down by the Hon'ble Apex Court in the matters of **Krishnappa & Ors. vs. State of Karnataka; 2021 0 Supreme(SC) 529, Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and Ors. vs. State of Gujarat and another; 2017 9 SCC 641, B.S. Joshi Vs. State of Haryana; 2003(4) SCC 675, Nikhil Merchant Vs. Central Burea of Investigation and another; (2008) 9 Supreme Court Cases 677**, **Gian Singh Vs. Stated of Punjab; (2012) 10 SCC 303** and **Narinder Singh & others Vs. State of Punjab and another; (2014) Supreme Today 642**, the proceedings of the aforesaid case is hereby quashed.

8. The present application is, accordingly **allowed**. No order as to costs.

Order Date :- 7.11.2023
Junaid

Digitally signed by :-
JUNAID AHMAD
High Court of Judicature at Allahabad