

Court No. - 87

Case :- APPLICATION U/S 482 No. - 38522 of 2023

Applicant :- Mahendra Singh And 13 Others

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

Counsel for Applicant :- Amit Kumar Sharma

Counsel for Opposite Party :- G.A., Ram Pravesh Yadav, Swatantra Kumar Rai

Hon'ble Neeraj Tiwari, J.

1. Heard Shri Amit Kumar Sharma, learned counsel for the applicants, learned A.G.A. for the State and Shri Ram Pravesh Yadav, learned counsel for the opposite party No.2.

2. The present 482 Cr.P.C. application has been filed to quash the charge-sheet dated 05.10.2020 as well as entire proceedings of Case No.14484 of 2021 (State Vs. Mahendra Singh and others), arising out of Case Crime No.42 of 2020, under Sections-147, 148, 149, 452, 323, 506, 427 and 336 I.P.C., Police Station-Dharam Singhwa, District-Sant Kabir Nagar, pending in the court of Civil Judge, (Junior Division)/Judicial Magistrate, District-Sant Kabir Nagar in terms of compromise done between the parties.

3. Learned counsel for the applicant submits that now parties have entered into compromise on 30.06.2023, therefore, in light of compromise between the parties, the criminal proceeding against the applicants may be quashed.

4. Learned counsel for the opposite party No. 2 has not objected the aforesaid facts and submitted that in case proceedings against the applicants is quashed, he would have no objection.

5. Learned A.G.A. has also not disputed the aforesaid facts.

6. In view of the facts and circumstances of the case, the applicants and opposite party 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**.

Order Date :- 28.11.2023

Amit/-