

Court No. - 89

Case :- APPLICATION U/S 482 No. - 38470 of 2023

Applicant :- Aditya Chaudhary And 5 Others

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

Counsel for Applicant :- Prakhar Saran Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma,J.

1. Heard learned counsel for the applicants and learned A.G.A. for the State.
2. The present 482 Cr.P.C. application has been filed to quash the charge sheet dated 09.07.2023 alongwith summoning order dated 14.09.2023 as well as the entire proceedings of Case No. 16028 of 2023 & CNR No. UPGb041235062023 (State Vs. Aditya & Others), arising out of Case Crime No. 411 of 2022, under Sections- 420, 467, 468, 471 & 120B I.P.C., Police Station- Beta II, District- Gautam Budh Nagar.
3. It has been contended by learned counsel for the applicants that the applicants and opposite party no. 2 have amicably settled their dispute out of court and entered into a settlement agreement on 11.08.2023. A copy of the settlement agreement entered into between the parties has been annexed as Annexure-5 to the application. He next submits that second clause of Addendum Agreement entered into between the parties is quoted as under:-

*"**Clause 2:** The First Party/Complainant, Shri Arun Kumar, Director M/s. **BOP Pvt. Ltd.** in the above case, shall file this addendum settlement agreement along with the settlement agreement sing dated 11.08.2023 to seek the quashing or closure of the case against all individuals named as accused in the First Information Report (FIR) bearing case crime no 411 of 2022 got registered in Police Station- Beta-2, District- Gautam Budha Nagar under Sections 420, 467, 468, 471 & 120-B IPC."*
4. Accordingly, it is provided that the parties shall appear before the court below along with a certified copy of this order and a copy of the settlement agreement on the next date fixed. It is therefore expected that the trial court may fix a date for the verification of the compromise entered into between the parties and pass an appropriate order to that effect within next four weeks. It shall be open to the applicants to file a fresh application U/S 482 at that stage for the relief sought herein.
5. In view of the above, the present application is **disposed of**.
6. For a period of five weeks, no coercive measure shall be taken against the applicants.

Order Date :- 17.10.2023/Aditya