

Court No. - 87

Case :- APPLICATION U/S 482 No. - 39478 of 2023

Applicant :- Brijendra Alias Lallan Yadav And 3 Others

Opposite Party :- State Of U.P. And 2 Others

Counsel for Applicant :- Tarun Jha

Counsel for Opposite Party :- G.A., Pankaj Kumar
Vishwakarma

Hon'ble Neeraj Tiwari, J.

1. Heard learned counsel for the applicants, learned A.G.A. for the State and Ms. Nandani, Advocate, holding brief of Sri Pankaj Kumar Vishwakarma, learned counsel for the opposite party Nos. 2.

2. The present 482 Cr.P.C. application has been filed to quash the the entire proceeding on the basis of compromise of Criminal Case No. 878 of 2011, arising out of Case Crime No. 244 of 2010, under Sections-363, 366, 504, 506 I.P.C., Police Station-Kotwali Orai, District:-Jalaun, pending in the court of learned Chief Judicial Magistrate, Jalaun at Orai.

3. Learned counsel for the applicants submitted that present case is arising out of matrimonial dispute. He next submitted that now parties have entered into compromise dated 18.09.2023 which has also been annexed as Annexure 6 to present application. He next submitted that out of compromise entered between the parties, they have decided to live together. He next submitted that in light of compromise entered between the parties, criminal proceedings against the applicants may be quashed.

4. Ms. Nandani, Advocate, holding brief of Sri Pankaj Kumar Vishwakarma, learned counsel for the opposite party Nos. 2 has supported the case of the applicants and submitted that in case proceedings against the applicants is quashed, she would have no objection.

5. In view of the facts and circumstances of the case, the applicants and opposite party Nos. 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.

6. 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.

7. The present application is, accordingly **allowed**.

8. No order as to costs.

Order Date :- 9.11.2023

ADY