

Court No. - 89

Case :- APPLICATION U/S 482 No. - 39411 of 2023

Applicant :- Surendra Rathour And Another

Opposite Party :- State Of U.P. And 3 Others

Counsel for Applicant :- Krishna Kant Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma,J.

1. Vakalatnama has been filed today in the Court by Sri Ram Shiromani Yadav on behalf of opposite party No.4/victim, is taken on record.

2. Heard learned counsel for the applicants, learned counsel for opposite party No.4 and learned A.G.A. for the State.

3. The present 482 Cr.P.C. application has been filed to quash the charge sheet dated 06.07.2023 as well as cognizance order dated 10.07.2023 in Special Case No.52 of 2023, arising out of Case Crime No.58 of 2023, under Sections-363, 366, 376, 120-B I.P.C. and Section 3/4 of POCSO Act, Police Station- Kemari, District- Rampur, pending in the court of Addl. Sessions Judge, Court No.8, Rampur.

4. Learned counsel for the applicants submits that the victim, who is said to be minor in the FIR but as per birth certificate she was major at the time of incident. Parties have amicably settled their dispute out of the Court. Victim and applicant No.1 has solemnized marriage and are living happily. Compromise deed has been filed as annexure 14 to the affidavit.

5. Learned counsel appearing for the opposite party no.4/victim does not dispute the correctness of the facts.

6. Accordingly, it is provided that the parties shall appear before the court below along with a certified copy of this order 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.

7. In view of the above, the present application is **disposed of**.

8. For a period of five weeks, no coercive measure shall be taken against the applicants.

Order Date :- 27.10.2023

Nitin Verma