

Court No. - 87

Case :- APPLICATION U/S 482 No. - 39434 of 2023

Applicant :- Nazar Mohammad And 3 Others

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

Counsel for Applicant :- Meraj Ahmad Khan

Counsel for Opposite Party :- G.A., Krishna Madhaw Pandey

Hon'ble Neeraj Tiwari, J.

1. Short counter affidavit filed today, is taken on record.
2. Heard learned counsel for the applicants, learned AGA for the State and Sri Krishna Madhaw Pandey, learned counsel for the opposite party no.2.
3. The present 482 Cr.P.C. application has been filed to quash the charge sheet dated 21.11.2022, summoning order dated 3.3.2023 as well as entire proceedings of Case No. 1001 of 2022 (State Vs. Nazar Mohammad and others), under Sections- 452, 323, 504, 336 I.P.C., Police Station- Bhojpur, District- Moradabad, pending in the court of Judicial Magistrate, Thakurdwara, Moradabad.
4. Learned counsel for the applicants submitted that applicants and opposite party are the resident of same village and due to misunderstanding, criminal proceeding has been initiated. He next submitted that now parties have entered into compromise and this facts has also not been disputed in the short counter affidavit filed by opposite party no. 2. Therefore, in light of compromise, present proceeding may be quashed.
5. Sri Krishna Madhaw Pandey, learned counsel for the opposite party no.2 has not objected the aforesaid fact by filing short counter affidavit and submitted that in case proceedings is quashed, he would have no objection.
6. In view of above, 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 Bhimsinbhai 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 :- 2.11.2023

Arvind