

Court No. - 93

Case :- APPLICATION U/S 482 No. - 42375 of 2023

Applicant :- Rajesh Singh And 5 Others

Opposite Party :- State Of U.P. And Another

Counsel for Applicant :- Chandan Kumar Jaiswal

Counsel for Opposite Party :- G.A.

Hon'ble Manoj Bajaj,J.

Applicants being accused have approached this Court through this application under Section 482 Code of Criminal Procedure seeking quashing of the proceedings of Criminal Case No. 3869 of 2020, arising out of Case Crime No. 811 of 2012, under Sections 147, 323, 504 I.P.C., Police Station Kaptanganj, District Kushinagar on the basis of a compromise dated 4.8.2023.

The case has been called twice, but no one has put in appearance on behalf of the applicants.

A perusal of the application shows that the indulgence of this Court under Section 482 Cr.P.C. is being prayed on the sole ground of compromise, which is appended with the application as Annexure No.3.

The above fact is not disputed by Sri Kamlesh Singh, learned counsel appearing on behalf of complainant/victim, who has filed his power of attorney. He states that indeed the parties have amicably settled the dispute.

Since the learned counsel for applicants has not

appeared and considering the nature of the offences, which are compoundable in terms of Section 320 Cr.P.C., this Court deems it appropriate to relegate the applicants to invoke the alternative remedy before the Magistrate.

Consequently, no case is made out for invoking inherent powers under Section 482 Cr.P.C. The application is dismissed.

Order Date :- 20.11.2023
P.S.Parihar