

Court No. - 87

Case :- APPLICATION U/S 482 No. - 39381 of 2023

Applicant :- Mohd. Imaran And 4 Others

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

Counsel for Applicant :- Ram Prakash Dwivedi, Pranshu Dwivedi

Counsel for Opposite Party :- G.A.

Hon'ble Neeraj Tiwari, J.

1. Mr. Aniruddha Ojha, Advocate has filed Vakalatnama alongwith compliance affidavit on behalf of opposite party no.2, which is taken on record.

2. Heard learned counsel for the applicants, learned AGA for the State and Sri Aniruddha Ojha, learned counsel for the opposite party no.2.

3. This application under Section 482 Cr.P.C. has been filed by the applicants to quash the entire proceedings of Case No. 943 of 2017, arising out of Case Crime No. 77 of 2017, under Sections 147, 452, 323, 506, 427 I.P.C., P.S. Jhunsi, District Allahabad, pending in the court of Additional Chief Judicial Magistrate, Court No.5, Allahabad and charge-sheet dated 16.3.2017 and cognizance order dated 27.4.2017 in pursuance of compromise dated 23.06.2023.

4. Learned counsel for the applicant submitted that earlier he has approached this Court by filing Application U/S 482 No.- 31380 of 2017, which was disposed of vide order dated 18.9.2023 with direction to trial Court to verify the compromise.

3. In compliance of the order of this Court dated 18.9.2023, learned trial Court has submitted its report on 30.9.2023 verifying the compromise deed entered between the parties.

4. Sri Aniruddha Ojha, learned counsel for the opposite party no.2 has not disputed the aforesaid facts and supported the case of applicant on the basis of compliance affidavit and also submitted that in case aforesaid proceeding is quashed, he would have no objection.

5. 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.

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**. No order as to costs.

Order Date :- 2.11.2023

Junaid