

**Court No. - 88**

**Case :-** APPLICATION U/S 482 No. - 39812 of 2023

**Applicant :-** Ramkesh And Another

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

**Counsel for Applicant :-** Rajiv Kumar Tripathi

**Counsel for Opposite Party :-** G.A.,Kumar Dhananjay

**Hon'ble Sanjay Kumar Singh,J.**

1. Heard learned counsel for the applicants, learned Additional Government Advocate for the State, learned counsel for the opposite party nos. 2 & 3 and perused the record.

2. This application under Section 482 Cr.P.C. has been filed by the applicants to quash the entire proceedings of S.T. No. 79 of 2023 (State of U.P. Vs. Ramkesh And Another), arising out of Case Crime No. 574 of 2023, under Sections 324, 504, 506 of IPC and under Sections- 3(1)(r), 3(1)(s) of SC/ST Act, Police Station, Kotwali Orai, District- Jalaun, pending before learned Special Judge SC/ST Act, Jalaun at Orai.

3. It is submitted by learned counsel for the applicants that opposite party No. 2 Gopal Ahirwar has lodged FIR dated 16.07.2023 under Sections- 324, 504, 506 IPC and Section 3(1) (Da), 3(1)(Dha) of SC/ST Act against the applicants- Ramkesh and Harikesh in which, after culmination of investigation, charge sheet was submitted on 12.08.2023, on which the concerned court below took cognizance on 15.09.2023. Thereafter, parties concerned have settled their dispute outside the court and a compromise dated 05.10.2023 has been prepared in this regard, which has been brought on record as Annexure-9 to this affidavit.

4. It is submitted that no compromise application has yet been filed before the concerned Court below, where criminal proceeding is pending against the applicants and requested to allow the applicants to move compromise application before the concerned Court below.

5. Whether the parties have, in fact, compromised the matter or not, can best be ascertained by the Court below, as such said compromise has to be duly verified in presence of the parties concerned before the Court.

6. On the request made by learned counsel for the applicants two weeks' time is allowed to the applicants to file compromise application before the concerned Court below.

7. Accordingly, the court concerned Court below is directed that in case such compromise application is filed by the applicants before it within aforesaid period, it shall issue notices to all the signatories to the compromise requiring their personal presence and, thereafter, proceed to verify the compromise. If the aforesaid compromise is verified, a report to that effect shall be prepared by the court and the compromise will be made part of the record. The Court in that scenario will allow the parties to obtain certified copy of the report as well as compromise and it will be open to the applicants to approach this Court again for quashing of the proceedings.

8. Till verification of compromise between the parties by the court concerned, no coercive action shall be taken against the applicants in the aforesaid case.

9. With the aforesaid directions the application stands **disposed of**.

**Order Date :- 15.12.2023**

ADY