

Court No. - 89

Case :- APPLICATION U/S 482 No. - 39697 of 2023

Applicant :- Vikas Verma

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

Counsel for Applicant :- Pt. S.P. Sharma

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma,J.

1. Heard learned counsel for the applicant; Ms. Archana Maurya, who has filed Vakalatnama on behalf of opposite party no. 2 and learned A.G.A. for the State.
2. The present 482 Cr.P.C. application has been filed to quash the entire proceedings of Special Sessions Trial No.200 of 2021 (State Vs. Vikas Verma) arising out of Case Crime No.264 of 2020, under Sections 376, 452, 506 I.P.C., P.S. Sipri Bazar, District Jhansi, pending in the court of Additional District Judge-4 Jhansi.
3. Learned counsel for the applicants submits that both the parties have settled the dispute out of the court. Therefore they filed Application 482 Cr.P.C. No.31371 of 2023 before this Court and the Court vide order dated 25.08.2023 directed the parties to appear before the court below and file the compromise, thereafter the concerned court shall verify the compromise deed and transmit the same to this Court.
4. Pursuant to the said order dated 25.08.2023, the parties appeared before the court below and in their presence, after due verification of the contents of the compromise made between the parties, a report on 05.12.2023 has been submitted. It has been next submitted that applicant was minor and declared juvenile by the Juvenile Court, vide order dated 28.09.2020 (Annexure-8). However the parties have amicably settled the dispute.
5. Learned counsel for the applicants has submitted that the applicant and opposite party no.2 have settled their private and civil dispute through compromise and as such opposite party no.2

does not wish to press the aforesaid case against the applicant. Opposite party no.2 is ready to withdraw the prosecution of the applicant and in view of the compromise, no fruitful purpose would be served if the prosecution is allowed to go on.

6. Learned counsel appearing for the opposite party no.2 does not dispute the correctness of the submission made by learned counsel for the applicants or the correctness of the documents relied upon by him. He submits that opposite party no. 2 has no objection, if the proceedings in the aforesaid case are quashed.

7. In view of the facts and circumstances of the case, 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.

8. 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 Special Sessions Trial No.200 of 2021 (State Vs. Vikas Verma) arising out of Case Crime No.264 of 2020, under Sections 376, 452, 506 I.P.C., P.S. Sipri Bazar, District Jhansi, is hereby quashed.

9. This application under Section 482 CrPC is accordingly **allowed.**

Order Date :- 28.10.2023

Meenu Singh