

Court No. - 89

Case :- APPLICATION U/S 482 No. - 39830 of 2023

Applicant :- Raja Martin And 5 Other

Opposite Party :- State of U.P.

Counsel for Applicant :- Rajesh Kumar Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma,J.

1. Heard learned counsel for the applicants, learned A.G.A. for the State and perused the record.

2. The present 482 Cr.P.C. application has been filed to quash the impugned charge-sheet dated 21.08.2010, cognizance order dated 04.11.2010 passed by Chief Judicial Magistrate, Rampur in Session Trial No.314 of 2011 arising out of Case Crime No.905 of 2010 (State Vs. Raja Masrtin and others), under Sections 147, 308, 149, 323, 149, 504, 506, 456 I.P.C, Police Station- Bilaspur, District- Rampur, pending in the court of Additional District & Session Judge, Rampur.

3. Learned counsel for the applicants submits that parties have amicably settled their dispute out of the Court. Proceeding against the applicants is pending trial and five prosecution witnesses have been examined. He next submitted that injuries received by the injured are simple in nature, which is evident from medical report and in view of Apex Court Judgment in **Ramgopal & another;Krishnappa & others vs. State of Madhya Pradesh; State of Karnataka; 2021 Law Suit (SC) 580**, parties can compromise at any stage. Copy of the compromise deed dated 26.09.2023 has been filed as Annexure -5 to the affidavit.

4. Learned counsel appearing for the opposite party no. 2 does not dispute the correctness of the fact.

5. Accordingly, it is provided that the parties shall appear before the court below along with a certified copy of this order and compromise deed on the next date fixed. It is, therefore, expected that the trial court may fix a date for the verification of the compromise entered into between the parties and pass an appropriate order to that effect within next four weeks. It shall be open to the applicant to file a fresh application U/S 482 at that stage for the relief sought herein.

6. In view of the above, the present application is **disposed of**.

7. For a period of five weeks, no coercive measure shall be taken against the applicants.

Order Date :- 30.10.2023

SKD