

Court No. - 89

Case :- APPLICATION U/S 482 No. - 40968 of 2023

Applicant :- Akram @ Kale And 5 Others

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

Counsel for Applicant :- Rafiqa Anees Khan, Mohd Haris Khan

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma, J.

1. Heard Ms. Rafiqa Anees Khan, learned counsel for the applicant, learned counsel for 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 summoning order dated 28.07.2023, as well as the entire proceedings of Case No.614 of 2001, arising out of Case Crime No.133 of 1995, under Sections-323, 436, 504, 120B I.P.C., Police Station-Hasanpur, District- Amroha, pending in the court of Civil Judge (JD)/JM, Hasanpur.
3. Learned counsel for the applicants submits that opposite party no.2, who is son of informant, has compromised the matter with applicant Nos.1 to 6. Informant is no more and opposite party no.2 is son of informant, who is appearing in place of his father. The parties have reconciled their differences and compromise have entered between them which has been reduced in writing. Compromise deed has been filed before the trial court and the same has been filed as annexure 6 to the affidavit.
4. Learned counsel appearing for the opposite party no. 2 does not dispute the correctness of the facts.
5. Accordingly, it is provided that the parties shall appear before the court below along with a certified copy of this order 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 applicants 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 applicant.

Order Date :- 6.11.2023

Nitin Verma