

Court No. - 4

Case :- APPLICATION U/S 482 No. - 40116 of 2023

Applicant :- Hanuman Prasad And 3 Others

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

Counsel for Applicant :- Jai Prakash Prasad, Rakesh Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Prakash Padia, J.

1. Heard learned counsel for the applicants, learned A.G.A. for the State and Shri Pushkar Nath Tripathi, Advocate, who put up his appearance on behalf of the opposite party no.2.
2. The applicants have preferred the present Application under Section 482 of Code of Criminal Procedure, 1973 with the prayer to quash the Charge Sheet dated 17.03.2005 as well as entire criminal proceeding in Case No.4264 of 2005 (State Vs. Bhagirathi & others) arising out of Case Crime No. 161/2004, under sections 323, 504, 324, I.P.C., Station - Khiri, District Allahabad, pending in the Court of Judicial Magistrate II Ind Allahabad on the basis of Compromise between the parties dated 05.10.2023. Further prayer is made to stay the further proceeding of aforesaid case.
3. It is admitted between the counsel for the parties present that a compromise has already been taken place between the parties on 05.10.2023, copy of which is appended as annexure 4 to the present application. On the basis of which it is argued that the court below be directed to pass appropriate orders and till then no coercive action shall be taken against the applicants.
4. Learned AGA has no objection.
5. Accordingly, the parties are directed to appear before the court below along with certified copy of this order and move an proper

application along-with original copy of the compromise deed executed between them for verification of the aforesaid compromise within a period of two weeks from today. If such an application along with compromise deed is filed within stipulated period, the court below is directed to verify the contents of the aforesaid compromise and after verifying the same, obtained the signatures of the parties to the aforesaid compromise and both the parties put their signatures and made statement that they were entered into the compromise voluntarily within a period of four weeks thereafter.

6. In case, the Court concerned finds that the parties have entered into the compromise voluntarily and they do not want to proceed with the matter, the Court below will pass appropriate orders in the matter.

7. For a period of two months or till decision on the application, whichever is earlier, no coercive action shall be taken against the applicants.

8. With the aforesaid observations, the application under Section 482 Cr.P.C. is disposed off.

Order Date :- 1.11.2023
Pramod Tripathi