

Court No. - 4

Case :- APPLICATION U/S 482 No. - 40138 of 2023

Applicant :- Khajan Singh And Another

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

Counsel for Applicant :- Ajay Dubey

Counsel for Opposite Party :- G.A.

Hon'ble Prakash Padia,J.

1. Heard learned counsel for the applicants and learned A.G.A. for the State-Respondents.

2. The applicants have preferred the present Application under Section 482 of Code of Criminal Procedure, 1973 with the prayer to quash the summoning order dated 22.08.2023 as well as charge sheet dated 31.01.2023 of Case No. 24783 of 2023, arising out of Case Crime No. 443 of 2022, under Sections 498A, 323, 504, 506 I.P.C. and 3/4 D.P. Act, P.S. Jagdishpur, District Agra, pending in the Court of Additional Civil Judge (J.D.) Court No. 7, Agra.

3. It is admitted by Sri Shambu Mani Tripathi, learned counsel for the opposite party no.2 that a compromise has already been taken place between the parties on 24.08.2023, copy of which is appended as annexure 2 to the present petition, which is duly signed by the opposite party no.2-Smt Sanju wife of applicant no.1 Khajan Singh. It is informed that the matter is pending since 2022. 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 **three** 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 **six** 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

T.S.