

Court No. - 86

Case :- APPLICATION U/S 482 No. - 40554 of 2023

Applicant :- Naresh Pal

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

Counsel for Applicant :- Santosh Mani Shukla

Counsel for Opposite Party :- G.A.

Hon'ble Rajiv Gupta,J.

1. Shri Abhitab Kumar Tiwari, Advocate has filed his vakalatnama along with short counter affidavit on behalf of opposite party no.2 today in Court, which is taken on record.
2. Heard learned counsel for the applicant, learned AGA for the State, Shri Abhitab Kumar Tiwari, learned counsel for the opposite party no.2 and perused the record.
3. Learned counsel for the applicant has submitted that on account of purchase of land as well as monetary dispute, the present criminal case was instituted against the applicant, however subsequently, with the intervention of respected members of both the family and the society, the parties have amicably and genuinely settled their all disputes and differences and now, they do not have any grievance against each other.
4. Learned counsel for the applicant has further drawn the attention of the Court to the settlement agreement dated 27.07.2023 drawn between the parties, a copy of which has been annexed as Annexure 8 to this application.
5. Learned counsel for the applicant has further submitted that in view of the said settlement agreement drawn between the parties as well as in order to maintain harmonious and cordial relations between them, the entire criminal proceedings against the applicant be quashed.
6. Learned counsel for the opposite party no.2 has also appeared and has filed short counter affidavit and in para 7 of the said affidavit, the settlement agreement drawn between the parties has been acknowledged. It has further stated that opposite party no.2 has no objection, if the entire proceedings are quashed against the present applicant.
7. Learned AGA could not dispute the aforesaid facts.
8. This Court is not unmindful of the judgements of the

Hon'ble Apex Court in the cases of ***Narindra Singh and others Vs. State of Punjab, (2014) 6 SCC 466, Parbatbhai Aahir Vs. State of Gujarat, (2017) 9 SCC 641*** and ***State of M.P. Vs. Laxmi Narayan, (2019) 5 SCC 688***, wherein Hon'ble Apex Court has categorically held that compromise can be made between the parties even in respect of certain cognizable and non-compoundable offences. Reference may also be made to the decision given by this Court in ***Shaifullah and others Vs. State of U.P. and another [2013 (83) ACC 278]***, in which, law expounded by the Hon'ble Apex Court in the aforesaid cases has been explained in detail.

9. Considering the facts and circumstances of the case, as noted herein above and also the submissions made by learned counsel for the parties, this Court is of the considered opinion that no useful purpose would be served by prolonging the proceedings of the present case.

10. Accordingly, the entire proceedings of Criminal Case No. 15908 of 2022 (State Vs. Surendra and Others), arising out of Case Crime No. 802 of 2020, under Sections 420, 406, 120-B IPC, Police Station Brahmpuri, District Meerut, pending in the court of Special Chief Judicial Magistrate, Meerut, are hereby quashed.

11. This application under Section 482 CrPC is accordingly **allowed** qua present applicant only.

Order Date :- 15.12.2023

Nadim