

Court No. - 87

Case :- APPLICATION U/S 482 No. - 41203 of 2023

Applicant :- Dushyant Veer Singh

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

Counsel for Applicant :- Manoj Kumar Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Neeraj Tiwari,J.

1.Counter affidavit as well as Vakalatnama filed on behalf of the opposite party No.2 is taken on record.

2. Heard Shri Manoj Kumar Mishra, learned counsel for the applicant, learned A.G.A. for the State and Shri Rahul Mishra, learned counsel for the opposite party No.2.

3. The present 482 Cr.P.C. application has been filed to quash the entire proceedings of Case No.12256 of 2019 (State Vs. Dushyant Veer), arising out of Case Crime No.64 of 2019, under Section 394 I.P.C., Police Station-Sector-58 Noida, District-Gautam Buddh Nagar, pending in the court of Civil Judge (J.D.)-III, Gautam Buddh Nagar in terms of compromise done between the parties.

4. Learned counsel for the applicant submits that now parties have entered into compromise on 30.05.2023 and the same has also been verified by the trial Court vide order dated 16.09.2023. He further submits that proceeding against the co-accused in the same case crime number has already been quashed by this Court vide order dated 07.11.2023 passed in Application (u/s 482 Cr.P.C.) No.41201 of 2023. Therefore, in light of compromise between the parties as well as order dated 07.11.2023, the present criminal proceeding against the applicant may also be quashed.

5. Learned counsel for the opposite party No. 2 has not objected the aforesaid facts and submitted that in case proceedings against the applicant is quashed, he would have no objection.

6. In view of the facts and circumstances of the case, the applicant and opposite party no. 2 do not want to pursue the case any further as stated by them. The matter has been mutually settled between the parties, therefore, no useful purpose would be served in proceeding with the matter further.

7. Thus in view of the well settled principle of law as laid down by the Hon'ble Apex Court in the matters of **Krishnappa & Ors. vs. State of Karnataka; 2021 0 Supreme(SC) 529, Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and Ors. vs. State of Gujarat and another; 2017 9 SCC 641, B.S. Joshi Vs. State of Haryana; 2003(4) SCC 675, Nikhil Merchant Vs. Central Burea of Investigation and another; (2008) 9 Supreme Court Cases 677, Gian Singh Vs. Stated of Punjab; (2012) 10 SCC 303 and Narinder Singh & others Vs. State of Punjab and another; (2014) Supreme Today 642**, the proceedings of the aforesaid case is hereby quashed.

8. The present application is, accordingly **allowed**.

Order Date :- 20.11.2023

Amit/-