

Court No. - 93

Case :- APPLICATION U/S 482 No. - 43892 of 2023

Applicant :- Pawan Kumar Mishra And 3 Others

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

Counsel for Applicant :- Avadh Pratap Singh Shishodia

Counsel for Opposite Party :- G.A.

Hon'ble Manoj Bajaj,J.

1. Applicants have filed this application under Section 482 Cr.P.C. for quashing of chargesheet dated 13.09.2020 in Case No. 3154 of 2020, titled State vs. Pawan Mishra and others), arising out of Case Crime No. 25 of 2019, under Sections 325 and 323 I.P.C. as well as impugned summoning/congnizance order dated 24.11.2020.

2. Learned counsel for the applicants submits that on the basis of a complaint filed by opposite party no. 2-complainant, the above mentioned case was registered for causing injuries to the victim Chandrapal Singh-opposite party no. 3 but during pendency of the trial, the parties have amicably settled their dispute. He submit that though the settlement is not reduced into writing but the same is accepted by both the parties by the intervention of elderly people and an application for seeking compounding of offence has already stands filed on 28.4.2023. He further submits that since the application is not been adjudicated, therefore, the applicants have invoked the inherent powers of this Court.

3. At this stage, Sri Kapil Tyagi, Advocate appears on behalf of opposite party nos. 2 and 3, who has filed counter affidavit along with Vakalatnama and states that indeed the settlement has taken place between the parties.

4. Learned counsel for the opposite party nos. 2 and 3 submits that in view of this development, the continuation of criminal proceedings against the applicants would be a futile exercise.

5. After hearing learned counsel for the parties and considering their submissions, this Court finds that since the applicants have already filed application before the trial court, which is pending for adjudication, therefore, the petition is **disposed of** with a direction to the trial court to decide the applicants' application within a period of one month from today.

Order Date :- 1.12.2023

Faridul