

Court No. - 87

Case :- APPLICATION U/S 482 No. - 40950 of 2023

Applicant :- Vipin Kumar And Another

Opposite Party :- State Of U.P. And Another

Counsel for Applicant :- Ram Shiromani Yadav

Counsel for Opposite Party :- G.A., Krishna Kant Yadav

Hon'ble Neeraj Tiwari, J.

1. Heard Shri Ram Shiromani Yadav, learned counsel for the applicants, learned A.G.A. for the State and Shri Krishna Kant Yadav, learned counsel for the opposite party No.2.

2. The present 482 Cr.P.C. application has been filed to quash the entire proceedings of Criminal Case No.7078 of 2019 (State Vs. Champat Singh and others), arising out of Case Crime No.302 of 2018, under Sections-452, 308, 323, 504 and 506 I.P.C., Police Station-Bilari, District-Moradabad, pending in the court of learned Judicial Magistrate, Moradabad in terms of compromise done between the parties.

3. Learned counsel for the applicant submits that now parties have entered into compromise on 27.07.2023 and the same has also been verified by the trial Court vide order dated 22.09.2023, therefore, in light of compromise between the parties, the criminal proceeding against the applicants may be quashed.

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

5. In view of the facts and circumstances of the case, the applicants 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.

6. 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.

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

8. No order as to costs.

Order Date :- 17.11.2023

Amit/-