

Court No. - 87

Case :- APPLICATION U/S 482 No. - 41834 of 2023

Applicant :- Survadeepta Das And Another

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

Counsel for Applicant :- Utkarsh Khanna

Counsel for Opposite Party :- G.A.

Hon'ble Neeraj Tiwari,J.

1. Heard learned counsel for the applicants and learned AGA for the State.

2. The present 482 Cr.P.C. application has been filed to quash of entire proceedings of the Case No.56208 of 2023 (State of U.P. Vs. Survadeepta Das And another) arising out of the Case Crime No.116 of 2021, under Section 420 I.P.C. and 67 I.T. Act, P.S.-Sagra, District- Varanasi, pending before the learned Chief Judicial Magistrate, Varanasi.

3. Case was heard on 09.11.2023, Court has passed the following order:-

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

2. Learned counsel for the applicants submitted that now the parties have entered into compromise on 24.10.2023 and the said compromise has also been filed before the trial Court, but till date same has not been verified by the trial Court.

3. In such view of the matter, learned C.J.M., Varanasi is directed to verify the compromise filed before the Court and submit verification report maximum within four weeks.

4. List this case on 07.12.2023 before appropriate Bench.

5. Till then, no coercive action shall be taken against the applicants.

6. The case shall not be treated as tied up or part heard to this Bench."

4. Pursuant to the order of this Court dated 9.11.2023, learned Chief Judicial Magistrate, Varanasi has verified the compromise between the parties on 17.11.2023 and information to this effect has been received before this Court on the same date.

5. Learned counsel for the applicants submitted that now the parties have entered into compromise, therefore, on the basis of

compromise, present proceeding may be quashed.

6. Learned AGA has also not disputed the aforesaid fact.

7. In view of above, 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.

8. 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.

9. The present application is, accordingly **allowed**. No order as to costs.

Order Date :- 7.12.2023

Arvind