

Court No. - 89

Case :- APPLICATION U/S 482 No. - 41725 of 2023

Applicant :- Kaif

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

Counsel for Applicant :- Mohammad Zakir

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma,J.

1. Heard learned counsel for the applicant and learned A.G.A. for the State.
2. The present 482 Cr.P.C. application has been filed to quash the impugned charge-sheet dated 15.09.2023, cognizance order dated 07.10.2023 as well as entire proceedings of Special Session Case No.3323 of 2023 arising out of Case Crime No.366 of 2023 (State vs. Kaif), under Sections 452, 354Ka I.P.C, & Section 7/8 POCSO Act, Police Station- Gulaohti, District- Bulandshahr, pending in the court of Additional Sessions Judge/Special Judge POCSO Act, Bulandshahr.
3. Learned counsel for the applicant submits that instant application has been filed to quash the proceeding pending against the applicant in terms of compromise made between the parties on 28.10.2023. Learned counsel for the applicant next submits that both the parties have amicably settled the dispute out of court. Opposite party no.2 does not want to proceed further against the applicant. Compromise deed has been filed as Annexure no.5 to the application. Learned counsel for the applicant next submits that compromise deed and application has been filed before the trial court.
4. Learned AGA does not dispute the correctness of the fact.
5. Accordingly, it is provided that the parties shall appear before the court below along with a certified copy of this order on the next date fixed. It is, therefore, expected that the trial court may fix a date for the verification of the compromise entered into between the parties and pass an appropriate order to that effect within next four weeks. It shall be open to the applicants to file a fresh application U/S 482 at that stage for the relief sought herein.
6. In view of the above, the present application is **disposed of**.
7. For a period of five weeks, no coercive measure shall be taken against the applicant.

Order Date :- 9.11.2023

SKD