

Court No. - 90

Case :- APPLICATION U/S 482 No. - 42134 of 2023

Applicant :- Istiyak And 3 Others

Opposite Party :- State Of U.P. And 6 Others

Counsel for Applicant :- Sanjay Kr. Srivastava

Counsel for Opposite Party :- G.A.,Ayush Srivastava

Hon'ble Vinod Diwakar,J.

1. Heard Shri Sanjay Kumar Srivastava, learned counsel for the petitioners, Shri Ayush Srivastava, learned counsel for the opposite party nos. 2 to 7, learned A.G.A. for the State and perused the entire record including the compromise verification report of the court concerned.

2. This application under Section 482 Cr.P.C. has been filed for quashing the entire proceedings of S.T. No.891 of 2016 arising out of Criminal Case No. 941/9 of 2016 titled as State Vs. Istiyak & Others arising out of Case Crime No. 591 of 2015, under Sections 323, 324, 504, 506, 308, 325 I.P.C., P.S. Partapur, District Meerut, pending in the Court of Additional Sessions Judge, Court No. 14, Meerut on the basis of compromise.

3. It is submitted by learned counsel for the applicants that since parties had settled their dispute outside the court, therefore, they were directed to appear before the court concerned for verification of the compromise vide order dated 21.08.2023 passed by co-ordinate Bench of this Court in Application U/S 482 Cr.P.C. No. 29054 of 2023. In compliance thereof, parties appeared before the court below and got the compromise verified on 12.09.2023 by the court below. The certified copy of verification of compromise has been annexed as Annexure No. 7 to the application. It is further submitted that since parties have settled the dispute, opposite party no.2 does not want to proceed with trial, therefore, no fruitful purpose would be served by keeping the matter pending.

4. On the other hand, learned counsel for opposite party no.2 submits that since the dispute between the parties has been settled, opposite party no.2 has no objection if the proceedings of the aforesaid case pending before the trial court is quashed.

5. I have considered the submissions made by the learned counsel

for the parties and have gone through the entire record.

6. Since the dispute between the parties has been amicably settled, no fruitful purpose would be served by permitting to continue the criminal case pending before the trial court and it would simply a waste of judicial time as chances of conviction are very bleak and thus no fruitful purpose would be served.

7. In view of the above, the application under Section 482 Cr.P.C. is **allowed**.

8. The entire proceedings of S.T. No.891 of 2016 arising out of Criminal Case No. 941/9 of 2016 titled as State Vs. Istiyak & Others arising out of Case Crime No. 591 of 2015, under Sections 323, 324, 504, 506, 308, 325 I.P.C., P.S. Partapur, District Meerut, pending in the Court of Additional Sessions Judge, Court No. 14, Meerut, against the applicants, are hereby quashed.

Order Date :- 2.12.2023

Shafique