

Court No. - 89

Case :- APPLICATION U/S 482 No. - 42194 of 2023

Applicant :- Sanjay And 4 Others

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

Counsel for Applicant :- Ashok Kumar Singh, Anoop Singh

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma, J.

1. Sri Deepak Singh has filed affidavit and vakalatnama on behalf of opposite party No.2, is taken on record.
2. Heard learned counsel for the applicant, learned counsel for opposite party No.2 and learned A.G.A. for the State.
3. The present 482 Cr.P.C. application has been filed to quash the summoning order dated 24.01.2021, cognizance order dated 23.04.2010, charge sheet dated 29.03.2010 as well as the entire proceedings of Case No. 4770 of 2010, arising out of Case Crime No.64 of 2010, under Sections-498A, 323, 506 I.P.C. and Section 3/4 DP Act, pending in the court of ACJM, Court No.3, Muzaffarnagar.
4. Learned counsel for the applicants submits that the parties have reconciled their differences and compromise have entered between them which has been reduced in writing. Applicant No.1 and opposite party No.2 are husband and wife. Opposite party No.2 does not want to proceed against the applicants further in terms of second compromise dated 28.10.2023 and applicant no.1 and opposite party no.2 are living together. Compromise deed has been filed as annexure 4 to the affidavit.
5. Learned counsel appearing for the opposite party no. 2 does not dispute the correctness of the facts.
6. 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.
7. In view of the above, the present application is **disposed of**.
8. For a period of five weeks, no coercive measure shall be taken against the applicant.

Order Date :- 17.11.2023

Nitin Verma