

Court No. - 87

Case :- APPLICATION U/S 482 No. - 42631 of 2023

Applicant :- Mushahid And 3 Others

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

Counsel for Applicant :- Vinay Kumar Singh Singraur, Anil Kumar Gupta

Counsel for Opposite Party :- G.A., Chandra Pal Singh

Hon'ble Neeraj Tiwari, J.

1. Sri Chandra Pal Singh, advocate put in appearance on behalf of opposite party no. 2 and has filed vakalatnama alongwith counter affidavit, which is taken on record.
2. Heard learned counsel for the applicants, learned AGA and Sri Chandra Pal Singh, learned counsel for the opposite party no.2.
3. The present application under section 482 Cr.P.C. has been filed for quashing the charge sheet dated 30.11.2021, cognizance order dated 03.08.2022 as well as entire proceedings of S.T. No. 696 of 2022 (State Vs. Mushahid & others), arising out of case crime no. 383/2021, under Sections 323, 308, 504, 506 I.P.C., P.S. -Asmauli, District Sambhal, pending before District and Session Judge, Sambhal at Chandausi.
4. Learned counsel for the applicants submitted that earlier applicants had filed Application U/S 482 No. 27894 of 2023, which was disposed of vide order dated 9.8.2023 with direction to verify the compromise. In compliance of the order dated 9.8.2023, compromise application has been verified by the Trial Court vide order dated 22.09.2023. He next submitted that the said fact has not been disputed in the counter affidavit filed by opposite party no. 2. He next submitted that in light of compromise, proceeding in the present matter may be quashed.
5. Sri Chandra Pal Singh, learned counsel for the opposite party no.2 has not objected the aforesaid fact and submitted that in case proceedings is quashed, he would have no objection.
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 Bureau of Investigation and another*; (2008) 9 Supreme Court Cases 677, *Gian Singh Vs. State 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 :- 30.11.2023

Arvind