

Court No. - 87

Case :- APPLICATION U/S 482 No. - 43735 of 2023

Applicant :- Jabbu Alias Imtiyas Ahmad And Another

Opposite Party :- State Of U.P. And 2 Others

Counsel for Applicant :- Ajay Shankar, Triveni Shanker

Counsel for Opposite Party :- G.A., Anil Kumar Pathak

Hon'ble Neeraj Tiwari, J.

1. Heard learned counsel for the applicants, learned AGA for the State and Sri Anil Kumar Pathak, learned counsel for the opposite party no.2.

2. Learned counsel for the applicants submitted that earlier he has filed Application U/S 482 No. 39140 of 2023 before this Court in which this Court vide order dated 1.11.2023 referred the matter for verification.

3. In compliance of order dated 1.11.2023, learned Chief Judicial Magistrate, Sonbhadra has verified the said compromise deed entered between the parties on 8.11.2023.

4. Sri Anil Kumar Pathak, learned counsel for the opposite party no. 2 has not disputed the aforesaid facts and also submitted that in case aforesaid proceeding is quashed, he would have no objection.

5. Learned AGA for the State has also not disputed the aforesaid facts.

6. 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.

7. 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, entire proceedings of Case No. 4536 of 2005 (State vs. Iddu Ahmad and 2 Others) arising out of Case Crime No. 42 of 2003, under Sections 468, 452, 323, 506 I.P.C., P.S. Robertsganj, District Sonbhadra, pending in the court of Chief Judicial Magistrate, Sonbhadra and charge-sheet dated 23.03.2005 and cognizance order dated 03.09.2005 are hereby quashed.

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

Order Date :- 13.12.2023

Junaid