

Court No. - 93

Case :- APPLICATION U/S 482 No. - 45261 of 2023

Applicant :- Anita And Another

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

Counsel for Applicant :- Ajeet Kumar Ojha

Counsel for Opposite Party :- G.A.

Hon'ble Manoj Bajaj,J.

Applicants have filed this application under Section 482 Code of Criminal Procedure for quashing the charge sheet dated 03.09.2023 as well as entire proceeding of Criminal Case No. 13400 of 2023; titled State vs. Anita and others, arising out of Case Crime No. 45 of 2023, registered under Sections 419, 420, 406, 504, 506 IPC, Police Station Chopan, District Sonbhadra pending before the Civil Judge (Junior Division)/F.T.C./C.A.W., Sonbhadra, on the basis of compromise (Annexure No. 6).

Learned counsel for the applicants submits that during the pendency of the case, the parties have amicably settled the dispute and in this regard he has drawn the attention of the Court to the written compromise dated 15.6.2023 (Annexure No. 6).

He prays that the continuation of criminal proceedings in view of this development would be a futile exercise, therefore, the proceedings be quashed in the interest of justice.

At this stage, Mr. Ajay Kumar Rai, learned counsel appears on behalf of opposite party no. 2 who has filed power of attorney and states that indeed the parties have settled the dispute and he has no objection, if the criminal proceedings are laid to rest.

During the course of hearing, it is not disputed by the learned counsel for the parties that the offences alleged against the accused in the FIR and the final report are compoundable, therefore, this Court deems it appropriate to relegate the parties before the court to raise this ground where the case is pending consideration.

If, any application is moved under Section 320 Cr.P.C. by the applicants, the same be decided expeditiously after recording the statements of the parties.

With these observations, the application under Section 482 Cr.P.C. is disposed of.

Order Date :- 12.12.2023/Brijesh