

Court No. - 28

Case :- APPLICATION U/S 482 No. - 3370 of 2023

Applicant :- Kaptan Tiwari And 5 Others

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home, Civil Sectt. Lko. And Another

Counsel for Applicant :- Amrit Kumar Tiwari

Counsel for Opposite Party :- Vartika Pandey, Abhinav Srivastava, Ajay Veer Singh

Hon'ble Shree Prakash Singh, J.

Heard Sri Amrit Kumar Tiwari, learned counsel for the applicants, Sri Nirmal Kumar Pandey, learned A.G.A. for the State and perused the material placed on record.

Instant application has been filed with prayer to quash the entire proceedings of Criminal Case No. 9127 of 2022 arising out of chargesheet no. 196 of 2022 dated 13.07.2022 in pursuance of Case Crime No. 225 of 2022, under Section 147, 323, 504, 506 of IPC relating to Police Station- Raunahi, District Ayodhya as well as the summoning order dated 06.09.2022 passed by the learned Chief Judicial Magistrate, Faizabad.

Learned counsel appearing for the applicants submits that vide order dated 10.04.2023, the matter was referred to the Mediation and Conciliation Centre of this Court, wherein, both the parties appeared and they have settled their dispute amicably. He next added that the settlement agreement has also been executed between the parties and all the parties signed over there.

Adding his argument he submits that now there is no dispute in between the parties and further criminal proceedings would be futile exercise and amount to harassment of the applicant and thus, submission is that the criminal proceedings against the present applicant may be quashed.

Learned counsel for the State has also supported the version of learned counsel for the applicants and submits that now there is no grievance remains in between the parties, therefore the criminal proceedings against the present applicants may be dropped.

Considering the submissions of learned counsels for the parties, it transpires that there was certain dispute in between the

present applicants and opposite party no. 2, thereafter, they sat together and have settled their dispute before the Mediation and Conciliation Centre and that too has been reduced in writing as settlement agreement dated 09.10.2023.

This Court further noticed the fact that the Mediation Center has also sent its report dated 09.10.2023 whereby it has been reported that Mediation is successful and completed.

A copy of the settlement agreement dated 09.10.2023 has also been enclosed along with the report of the Mediator.

Resultantly, the criminal proceedings of Criminal Case No. 9127 of 2022 arising out of chargesheet no. 196 of 2022 dated 13.07.2022 in pursuance of Case Crime No. 225 of 2022, under Section 147, 323, 504, 506 of IPC relating to Police Station-Raunahi, District Ayodhya are hereby quashed.

The settlement agreement dated 09.10.2023 shall be the part of this order.

Consequences to be followed.

The application is allowed accordingly.

Consigned to record.

Order Date :- 1.11.2023

Anurag