

Court No. - 12

Case :- APPLICATION U/S 482 No. - 1192 of 2016

Applicant :- Altaf Khan

Opposite Party :- State Of U.P. And Anr.

Counsel for Applicant :- Kunwar Mukul Rakesh, Kunwar Sushant Prakash

Counsel for Opposite Party :- Govt. Advocate, Shesh Narain Pandey

Hon'ble Rajeev Singh, J.

1. Heard learned counsel for the applicant, learned A.G.A. for the State of U.P., learned counsel for the opposite party no.2 and perused the record.
2. This application under Section 482 Cr.P.C. has been filed for quashing the charge-sheet dated 14.11.2008 in Case No.15 of 2009 arising out of Case Crime No.491 of 2008 U/s 420, 467, 468, 472 I.P.C., Police Station- Gomti Nagar, Lucknow and proceedings of Case No.15 of 2009.
3. Learned counsel for the applicant as well as learned counsel for opposite party No.2 jointly submitted that vide order dated 28.05.2018 a direction was given to the Senior Registrar of this Court to verify the factum of compromise executed by the parties. In pursuance of the aforesaid order, Senior Registrar has verified the contents of compromise.
4. Learned counsel for the applicants and learned counsel for opposite party no.2 jointly submitted that the parties have entered into compromise, which has duly been verified by the Senior Registrar vide report/order dated 29.05.2018.
5. Learned A.G.A. has fairly conceded that compromise has been effected between the parties and the same has duly been verified by Senior Registrar of this Court.
6. Hon'ble Apex Court in catena of decisions has held that inherent power can be used to do real and substantial justice as has been held in ***Gian Singh Vs State of Punjab, 2012 AIR SCW 5333, B.S. Joshi and others Vs State of Haryana, (2003) 3 SCC 675 and Narinder Singh Vs State of Punjab, (2014) 6 SCC 466***. Hence, inherent power can be exercised to speed up the process of ending the criminal proceedings where the settlement is arrived at between the parties.

7. In view of the aforesaid and the fact that parties do not want to pursue the case any further, the matter is purely of personal nature, which has been mutually settled between the parties by way of the compromise, therefore, no useful purpose would be served in proceeding with the matter further.

8. For the discussions made above, the present application is **allowed** and the charge-sheet dated 14.11.2008 in Case No.15 of 2009 arising out of Case Crime No.491 of 2008 U/s 420, 467, 468, 472 I.P.C., Police Station- Gomti Nagar, Lucknow and proceedings of Case No.15 of 2009 are hereby **quashed**.

9. Office is directed to communicate this order to concerned authority, forthwith.

Order Date :- 27.10.2023

Arpan