

Court No. - 12

Case :- APPLICATION U/S 482 No. - 5776 of 2022

Applicant :- Kavita Mishra And Others

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

Counsel for Applicant :- Aditya Tiwari

Counsel for Opposite Party :- G.A.,Vikas Kumar Agrawal

Hon'ble Rajeev Singh,J.

1. Heard learned counsel for the applicants, learned A.G.A. for the State, learned counsel for the opposite party no. 3 and perused the record.
2. This application under Section 482 Cr.P.C. has been filed for quashing the summoning order dated 15.06.2022 as well as entire proceedings of Complaint Case No. 9178 of 2021, under Section 323, 325, 427, 452, 504, 506 I.P.C., P.S. Kotwali Dehat, District Balrampur.
3. Learned counsel for the applicants and learned counsel for respondent no. 3 jointly submit that in pursuance of the earlier order dated 19.09.2022, the matter was sent before the Mediation Center of this Court and has become successful.
4. It is evident from the report of the Mediation Center dated 29.05.2023 that respondent no. 3 does not want to prosecute the applicants and both the parties have settled their disputes and arrived at an amicable settlement.
5. Learned A.G.A. fairly concedes that compromise has been effected between the parties before the Mediation Center of this Court.
6. Hon'ble Apex Court, in catena of decisions, viz., **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**, has held that inherent power can be used to do real and substantial justice. 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 fact that parties do not want to pursue the case any further and the matter has been mutually settled between the parties by way of the compromise, no useful purpose would be served in proceeding with the matter any further.

8. For the discussions made above, the present application is allowed.

9. Summoning order dated 15.06.2022 as well as entire proceedings of Complaint Case No. 9178 of 2021, under Section 323, 325, 427, 452, 504, 506, P.S. Kotwali Dehat, District Balrampur are hereby quashed.

10. Registry is directed to remit the amount of Rs.15,000/-, which was deposited by respondent no. 3 in pursuance of the earlier order dated 19.09.2022, to the applicants forthwith.

11. Office is also directed to send a copy of this order to the court concerned, forthwith.

Order Date :- 2.11.2023

VKS