

Court No. - 12

Case :- APPLICATION U/S 482 No. - 5088 of 2018

Applicant :- Ajay Singh

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

Counsel for Applicant :- Jay Prakash Singh

Counsel for Opposite Party :- Govt. Advocate

Hon'ble Rajeev Singh,J.

1. Vakalatnama filed by Mr. Satyendra Kumar, Advocate on behalf of opposite party no.2 is taken on record.

2. 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.

3. This application under Section 482 Cr.P.C. has been filed for quashing the charge-sheet dated 28.11.2017 as well as summoning order dated 01.05.2018 and non-bailable warrant order dated 18.07.2018 passed in Crl. Case No.208 of 2018 arising out of Case Crime No.42 of 2017 U/s 498-A, 504, 506 I.P.C., Section 3/4 of D.P. Act, Police Station- Mahila Thana, District- Ambedkar Nagar; for quashing proceedings of Crl. Case No.208 of 2018.

4. It has been contended by learned counsel for the applicant that the dispute between the parties is matrimonial in nature. This court vide order dated 16.03.2023 had referred the matter to the Mediation and Conciliation Centre of this Court where settlement agreement had arrived on 18.04.2023 between the parties, it is on record. The parties have amicably settled their dispute and further agreed to withdraw the cases going on between them. The said fact has been mentioned in para-7 of the settlement agreement dated 18.04.2023.

5. 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.

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

7. Considering the facts and circumstances of the case and taking into account the settlement agreement arrived at between the parties on 18.04.2023 before the Mediation and Conciliation Centre of this Court, the present application is **allowed** and the charge-sheet dated 28.11.2017, summoning order dated 01.05.2018, non-bailable warrant order dated 18.07.2018 passed in Crl. Case No.208 of 2018 arising out of Case Crime No.42 of 2017 U/s 498-A, 504, 506 I.P.C., Section 3/4 of D.P. Act, Police Station- Mahila Thana, District- Ambedkar Nagar and proceedings of Crl. Case No.208 of 2018 are hereby **quashed**.

8. Office is directed to communicate this order to trial court forthwith.

Order Date :- 26.10.2023

Arpan