

Court No. - 12

Case :- APPLICATION U/S 482 No. - 8363 of 2023

Applicant :- Krishna Kumar And Another

Opposite Party :- State Of U.P. Thru. Addl. Chief Secy. / Prin. Secy. Home, Lko. And Another

Counsel for Applicant :- Piyush Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Rajeev Singh,J.

1. Affidavit of compliance filed by learned counsel for the applicants is taken on record.

2. The present application under Section 482 Cr.P.C. is filed with the prayer to quash the proceeding of Criminal Case No.499/2019, arising out of Case Crime No.0048/2018 under Section 406, 504, 506 I.P.C., Police Station Alapur, District Ambedkar Nagar.

3. On 11.10.2023, following order was passed:-

1. Vakalatnama filed by Mr. Ramesh Chandra Pandey, Advocate on behalf of respondent no.2 is taken on record.
2. In pursuance of the order dated 18.09.2023 parties are present and they have been duly identified by their respective counsels.
3. Learned counsel for the applicant submitted that Rs. 18,500/- have already been paid to the private respondent. Private respondent does not dispute this fact. Applicant also submitted that he is ready to submit rest of the amount i.e., 11,500/- in cash today. He also requested that the impugned proceedings may be quashed.
4. It is undisputed by the private respondent that Rs. 30,000/- has already been received by him.
5. List this case on 19.10.2023, in the mean time parties shall file composite affidavit and they shall again appear before this Court.

4. In pursuance of earlier order, applicant and private respondent are present and they have been duly identified by their respective counsels.

5. Private respondent admitted this fact that due amount has already been received by him and now issued has been resolved between the parties. He further stated that he has no objection, in case, the impugned proceeding is quashed.

6. Learned A.G.A. have no objection, in case, impugned proceeding is quashed as the issue has already been resolved between the parties.

7. Considering the submissions of learned counsel for the parties, going through the record as well as statement of the private respondent, it is evident that disputed amounts has already been received by the private respondent, therefore, the impugned proceeding has lost its efficacy and present application is liable to be set aside.

8. In view of the above, the present application under Section 482 Cr.P.C. is **allowed** and the proceeding of Criminal Case No.499/2019, arising out of Case Crime No.0048/2018 under Section 406, 504, 506 I.P.C., Police Station Alapur, District Ambedkar Nagar is quashed.

9. Office is directed to communicate this order to the learned court below forthwith.

Order Date :- 19.10.2023

Gaurav/-