

Court No. - 21

Case :- APPLICATION U/S 482 No. - 8458 of 2023

Applicant :- Premjeet Singh @ Toni Singh And Others

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

Counsel for Applicant :- Arpan Prakash Srivastava

Counsel for Opposite Party :- G.A.,Mohak Srivastava

Hon'ble Neeraj Tiwari,J.

1. Supplementary affidavit filed today annexing original compromise deed, is taken on record.

2. Heard learned counsel for the applicants, learned AGA and Shri Mohak Srivastava, learned counsel for the opposite party no.2.

3. The present application under section 482 Cr.P.C. has been filed for quashing the First Information Report bearing Crime No.727 of 2018 as well as Chargesheet and subsequent proceedings of Sessions Trial No.01 of 2020, pending before the court of Additional Sessions Judge/Special Judge, POCSO Act-II, Faizabad.

4. Learned counsel for the applicants submitted that under sudden provocation, a quarrel took place between the parties and the present FIR has been lodged. He next submitted that now the parties have entered into compromise, the copy of original compromise deed dated 10.08.2023 is annexed along with the supplementary affidavit. It is next submitted that the applicants have no criminal history. It is lastly submitted that in light of compromise deed, present proceeding may be quashed.

5. Shri Mohak Srivastava, learned counsel for the opposite party no.2 has not objected the aforesaid fact and submitted that in case proceeding is quashed, he would have no objection.

6. In view of above, the applicants and opposite party no. 2 do not want to pursue the case any further as stated by them. The matter has been mutually settled between the parties, therefore, no useful purpose would be served in proceeding with the matter further.

7. Thus in view of the well settled principle of law as laid down by the Hon'ble Apex Court in the matters of **Krishnappa &**

Ors. vs. State of Karnataka; 2021 0 Supreme(SC) 529, Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and Ors. vs. State of Gujarat and another; 2017 9 SCC 641, B.S. Joshi Vs. State of Haryana; 2003(4) SCC 675, Nikhil Merchant Vs. Central Burea of Investigation and another; (2008) 9 Supreme Court Cases 677, Gian Singh Vs. Stated of Punjab; (2012) 10 SCC 303 and Narinder Singh & others Vs. State of Punjab and another; (2014) Supreme Today 642, the proceedings of the aforesaid case are hereby quashed.

8. The present application is, accordingly **allowed**. No order as to costs.

Order Date :- 26.10.2023

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