

Court No. - 12

Case :- APPLICATION U/S 482 No. - 8193 of 2022

Applicant :- Nishad Husain @ Nishant Husasin And Another

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

Counsel for Applicant :- Rajesh Kumar Kashyap, Pramod Kumar

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

Hon'ble Rajeev Singh, J.

1. Heard learned counsel for the applicants, learned A.G.A. for the State and 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 summoning order dated 03.09.2014 passed in Complaint Case No. 2403 of 2013, under Sections 498-A, 323, 504, 506 I.P.C. and Section 3/4 D.P. Act, P.S. Thakurganj, District Lucknow.

3. Learned counsel for the applicants and learned counsel for respondent no. 2 jointly submit that in pursuance of the earlier order dated 28.11.2022, 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 16.10.2023 that respondent no. 2 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 03.09.2014 passed in Complaint Case No. 2403 of 2013, under Sections 498-A, 323, 504, 506 I.P.C. and Section 3/4 D.P. Act, P.S. Thakurganj, District Lucknow as well as its entire proceedings are hereby quashed.

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

Order Date :- 7.12.2023

VKS