

Court No. - 12

Case :- APPLICATION U/S 482 No. - 10141 of 2023

Applicant :- Anwarul Abdul Hasan Alias Anwarul Hasan

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

Counsel for Applicant :- Sandeep Kumar Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Rajeev Singh,J.

1. Heard learned counsel for the applicant, learned counsel for opposite party no.2, learned A.G.A. for the State and perused the record.

2. The instant application has been filed for quashing the entire proceedings of Criminal Misc. Case No.3277 of 2009 (State Vs. Anwarul Hasan) in pursuance of charge sheet No.341 of 2009 dated 16.09.2009 arising out of F.I.R. No.296 of 2009/Case Crime No.637 of 2009, under Section 420, 406 IPC and 12 of Passport Act, Police Station- Kotwali Nagar, District- Gonda pending before the court of Additional Chief Judicial Magistrate, Gonda.

3. On 18th October, 2023, following order was passed:-

"Vakalatnama filed by Mr. Vineet Srivastava, Advocate on behalf of opposite party no.2 is taken on record.

List this case on 31.10.2023.

On the next date of listing applicant as well as private respondent shall appear before this Court."

4. In pursuance of the earlier order, parties are present. They have been identified by their respective counsel.

5. Learned counsel for the applicant submits that both the parties have amicably compromised their dispute. The compromise which has taken place between the parties is also filed before this Court as Annexure No.3 to the application.

6. Whether the parties have, in fact, compromised the matter or not, can best be ascertained by the trial court concerned as such compromise has to be duly verified in presence of the parties concerned before the Court.

7. Accordingly, this application is **disposed of** with a direction to the trial court concerned that if any such compromise is filed

before it, it shall issue notices to all the signatories to the compromise requiring their personal presence and, thereafter, proceed to verify the compromise. If the aforesaid compromise is verified, a report to that effect shall be prepared by the court and the compromise will be made part of the record.

8. The court concerned in that scenario will allow the parties to obtain certified copy of the report as well as compromise and it will be open to the applicant to approach this Court again for quashing of the proceedings.

9. For a period of one month, no coercive action shall be taken against the applicant in the aforesaid case.

10. Office is directed to return the original compromise deed to the learned counsel for the applicant, after taking the photocopy of the same.

Order Date :- 31.10.2023

Ashutosh Pandey