Court No. - 12

Case :- APPLICATION U/S 482 No. - 10828 of 2023

Applicant :- Mahendra Kumar And 4 Others
Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Deptt. Lko. And Another
Counsel for Applicant :- Sudhir Kumar Rai
Counsel for Opposite Party :- G.A.

Hon'ble Rajeev Singh,J.

1. Sri Dharmendra Kumar Bhatt, Advocate filed Vakalatnama on behalf of opposite party no.2 is taken on record.

2. Heard learned counsel for the applicants, learned counsel for opposite party no.2 as well as learned A.G.A. for the State and perused the record.

3. The instant application has been filed for quashing the charge-sheet dated 28.07.2019 filed in Case Crime No. 0297 of 2018 under Sections 498-A, 323 I.P.C., Police Station Achalganj District Unnao, as well as cognizance order date 06.02.2021 in criminal case no. 164 of 2021.

4. Learned counsel for the applicants 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.4 to the application.

5. 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.

6. 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.

7. 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 applicants to approach this Court again for quashing of the proceedings.

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

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

Order Date :- 3.11.2023
Vipul

Digitally signed by :-
VIPUL PRATAP GOGAL
High Court of Judicature at Allahabad,
Lucknow Bench