

Court No. - 27

Case :- APPLICATION U/S 482 No. - 10595 of 2023

Applicant :- Rafiuddeen @ Chhangoo And 4 Others

Opposite Party :- State Of U.P Thru. Prin. Secy. Home Deptt.
Civil Sectr. Lko. And 4 Others

Counsel for Applicant :- Shailendra Kumar Misra

Counsel for Opposite Party :- G.A.

Hon'ble Brij Raj Singh,J.

1. Sri Prashant Chaurasia has filed *Vakalatnama* on behalf of opposite party No.2 to 5, which is taken on record.
2. Heard learned counsel for the applicants, Sri Prashant Chaurasia learned counsel for the O.P. No.2 to 5, and Sri Aniruddh Singh, learned A.G.A. for the State.
3. The present 482 Cr.P.C. application has been filed praying for quashing the impugned chargesheet dated 21.01.2015, case crime No.351/2014 under Section 147, 149, 323, 506 and 427 IPC, PS Malihabad, district Lucknow and cognizance order dated 16.7.2015 passed by the Special Chief Judicial Magistrate Customs, Lucknow district Lucknow in CrI. Case No.0035674 of 2015 (State. Vs. Chhangoo and others.) pending in the Court of Special Judge SC,ST Act, Lucknow ST No.400 of 2017.
4. Learned counsel for both the parties submit that the both the parties have amicably settled their dispute and in respect thereof, they have annexed a compromise deed endorsed as Annexure - 5 to the affidavit, therefore, the aforesaid case may be decided in terms of the compromise between the parties.
5. Whether the parties have, in fact, compromised the matter or not, can best be ascertained by the court below as such compromise has to be duly verified in presence of the parties before the court concerned.
6. Both the parties are directed to appear before the concerned court below on 09.11.2022 and file their compromise application. The court below is directed to pass an order on the said compromise application and all formalities completed within three months from that date. The concerned Magistrate will sent

a report to this Court whether the said compromise took place or not.

7. Accordingly, the present application stands **disposed of** with a direction to the 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. The court 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 three months, no coercive action shall be taken against the applicants in the aforesaid case and the Court below is directed to complete verification proceedings as early as possible say within three months.

9. The original copy of the compromise be returned to the learned counsel for the applicants as per Rules of the Court, after retaining the photocopy thereof.

Order Date :- 30.10.2023

Rajneesh JR-PS)