

Court No. - 27

Case :- APPLICATION U/S 482 No. - 10598 of 2023

Applicant :- Mukesh Kumar And Another

Opposite Party :- State Of U.P. Thru. Prin. Secy. Deptt. Home, Lucknow And Another

Counsel for Applicant :- Rakesh K. Tripathi

Counsel for Opposite Party :- G.A.

Hon'ble Brij Raj Singh,J.

1. Vakalatnama filed by Shri Maya Ram Yadav, Advocate on behalf of the opposite party No.2, is taken on record.

2. Heard Shri Rakesh K. Tripathi, learned counsel for the applicants, learned A.G.A. for the State of U.P. as well as learned counsel for the opposite party no.2 and perused the record.

3. This application under Section 482 Cr.P.C. has been filed for quashing the entire proceeding of Case No. 648/2020 (State versus Dinesh Chandra) arising out of Charge-sheet dated 22.06.2018, summoning order dated 02.01.2023 passed by Learned Civil Judge (J.D.)/F.T.C., Hardoi, arising out of FIR No. 0169/2018, dated 23.05.2018, under section 452/354(B)/504/506 IPC lodged by opposite party no. 2 at Police Station Shahabad, District Hardoi pending before the Learned Civil Judge (J.D.)/F.T.C., Hardoi in terms of compromise dated 25.04.2023 duly verified by the learned Court below on 31.05.2023 in pursuance of the order dated 02.05.2023 passed in Application U/S-482 No. 4346 of 2023 (Mukesh Kumar & another Vs State of U.P. & another)

4. Learned counsel for the applicants as well as learned counsel for opposite party No.2 jointly submitted that vide order dated 02.05.2023 a direction was given to the trial court to verify the factum of compromise executed by the parties. In pursuance of the aforesaid order, learned trial court had verified the contents of compromise on 31.05.2023 and the certified copy of the same is filed as Annexure No. 1.

5. Learned A.G.A. has fairly conceded that compromise has been effected between the parties and the same has duly been verified by the trial court.

6. Hon'ble Apex Court in catena of decisions has held that inherent power can be used to do real and substantial justice as has been held in **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**. 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. Considering the fact that the compromise/settlement between the parties has been entered into which is on record, both the parties being present here, counsel for the opposite party being present having no objection to this compromise/settlement as well as looking into the facts and circumstances of the case, as noted hereinabove as also the submissions made by the counsel for the parties, the court is of the considered opinion that no useful purpose would be served by prolonging the proceedings of above mentioned case.

8. Accordingly, the proceedings in relation to Case No. 648/2020 (State versus Dinesh Chandra) arising out of FIR No. 0169/2018, dated 23.05.2018, under section 452/354(B)/504/506 I.P.C, Police Station Shahabad, District Hardoi pending before the Learned Civil Judge (J.D.)/F.T.C., Hardoi are hereby **quashed**.

9. The application is, accordingly, **allowed**. There shall be no order as to costs.

Order Date :- 31.10.2023

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