

Court No. - 13

Case :- APPLICATION U/S 482 No. - 10867 of 2023

Applicant :- Shubham Tripathi And Another

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

Counsel for Applicant :- Sanjay Kumar Sharma

Counsel for Opposite Party :- G.A.

Hon'ble Karunesh Singh Pawar,J.

Heard learned counsel for the applicants and learned A.G.A. for the State as well as Shri Neeraj Kumar Mishra, Advocate, who has filed Vakalatnama on behalf of respondent no.2, which is taken on record.

Learned counsel for the parties submit that the parties have entered into the compromise. The original copy of the compromise dated 27.10.2023 on record as Annexure-4 to the application. It is submitted that during compromise they have settled their dispute outside the court.

Learned counsel for the applicants submit that in view of the judgment of **Gian Singh vs. State of Punjab, 2012 AIR SCW 5333**, the proceedings pending before learned trial court are liable to be quashed.

Learned A.G.A. has no objection, however, he submits that it will be appropriate that compromise is verified first by the competent court and only then any further orders may be passed.

On due consideration of the arguments advanced by the parties' counsel and perusal of the record and considering the law laid down by Hon'ble Supreme Court of India in the case of Gian Singh vs. State of Punjab, 2012 AIR SCW 5333, the petition is *disposed of* directing the parties to appear before the learned trial court for verification of the compromise on 27.10.2023.

Learned trial court shall verify the contents of the compromise in the presence of parties within a period of one week thereafter and provide a copy of verification report to the parties and also keep copy of the same on its record.

For the period of one month, the proceedings of Criminal Case No.26221 of 2022, State vs. Shubham Tripathi and others arising out of Case Crime No. 386 of 2019 under Sections 498-A/506 I.P.C. and Section 3/4 Dowry Prohibition Act, Police Station Chinhat, District Lucknow as well as impugned summoning order dated 8.4.2022 and the impugned charge-sheet dated 19.12.2019 shall be kept in abeyance.

The applicants are at liberty to approach this court for quashing of the proceedings of the aforesaid case by filing a fresh petition along with verification report given by the learned trial court.

Order Date :- 6.11.2023

Madhu