Court No. - 11

Case :- APPLICATION U/S 482 No. - 11322 of 2023

Applicant :- Riyaz Ali And Another
Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Deptt. Civil Secrt. Lko. Another
Counsel for Applicant :- Ravindra Kumar Singh
Counsel for Opposite Party :- G.A.

Hon'ble Saurabh Lavania,J.

Vakalatnama filed by Sri Piyush Kumar Giri, Advocate alongwith Mohd. Siraj, Advocate on behalf of opposite party No. 2 in the Court today is taken on record.

Heard learned counsel for the applicants, learned AGA for the State of U.P. and perused the record.

Instant application under Section 482 Cr.P.C. has been preferred by the applicants/petitioners for quashing the charge-sheet and summoning order dated 04.07.2023 in respect of Case Crime No. 465/2021, Police Station- Thakurganj, District Lucknow, whereby, the applicants have been summoned under Sections 498-A, 323, 504, 506 I.P.C. & 3/4 D.P. Act and further to stay the entire criminal proceedings arising out of charge-sheet and summoning order dated 04.07.2023.

Learned counsel for the applicants submitted that both the parties have amicably settled their dispute outside the Court and have entered into a compromise and a copy of compromise deed, duly signed by the parties, is annexed as Annexure No. 4 to the present application. As such, keeping in view the settlement arrived at between the parties and the law laid down by the Hon'ble Apex Court in this regard, the proceedings impugned are liable to be quashed.

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

Considering the aforesaid, this application is disposed of finally in following terms:-

(i) The parties to the proceedings shall appear before the

concerned Court within two week's from today.

(ii) If the parties appear before the concerned Court in terms of above, the concerned Court shall proceed to verify the compromise between the parties to the proceedings and prepare a report to the same effect and the original compromise deed be made part of record.

(iii) The concerned Court shall conclude the process of verification of compromise within two week's from the date of production of copy of this order.

(iv) The concerned Court shall permit the parties to the proceedings to obtain the certified copy of the report as well as compromise deed.

(v) It shall be open to the applicants to approach this Court again for quashing of the proceedings.

(vi) For a period of six weeks, no coercive action shall be taken against the applicants in the aforesaid case.

Order Date :- 17.11.2023
Arun/-

Digitally signed by :-
ARUN KUMAR GANGWAR
High Court of Judicature at Allahabad,
Lucknow Bench