

Court No. - 12

Case :- APPLICATION U/S 482 No. - 11714 of 2023

Applicant :- Ram Bilas Pathak And 3 Others

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

Counsel for Applicant :- Km. Saumya Tiwari

Counsel for Opposite Party :- G.A.

Hon'ble Rajeev Singh,J.

1. Heard learned counsel for the applicants, learned A.G.A. for the State of U.P. and perused the record.

2. The present application has been filed with following prayer:-

"For the facts and circumstances stated in the accompanying affidavit, it is most respectfully prayed that this Hon'ble Court may kindly be pleased to quash the charge sheet arising out of case crime No.-195 of 2015 (State Versus RamBilas Pathak& others) U/S-336,504,506 I.P.C,Police Station-Ghazipur, District Lucknow,same is contained as Annexure No.-1 as well as summoning order passed by Special Chief Judicial Magistrate Custom, District-Lucknow, while taking cognizance in the matter on 31.08.2015 in criminal case No.-223/2015, (State Versus Ram Bilas&others) U/S- 336, 504, 506 I.P.C,Police Station Ghazipur, District- Lucknow, same is annexed as Annexure No.-2 to this petition &proceedings of the above mentioned case be quashed.

During the pendency of present petition, the proceedings of criminal case No.-223 of 2015, (State Versus Ram Bilas Pathak & Others), may be stayed."

3. Learned counsel for the applicants submits that both the parties have amicably compromised their dispute. The copy of compromise which has taken place between the parties is also filed before this Court as Annexure No.5 to the application.

4. 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.

5. 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.

6. 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.

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

Order Date :- 1.12.2023

Raj