Court No. - 12

Case :- APPLICATION U/S 482 No. - 11796 of 2023

Applicant :- Mahboob Alam And 2 Others
Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Deptt. Lko And Another
Counsel for Applicant :- Ajay Kumar Singh,Jai Prakash Shukla
Counsel for Opposite Party :- G.A.

Hon'ble Rajeev Singh,J.

1. Vakalatnama filed by Shri Ravi Kant Shukla, Advocate on behalf of respondent no. 2 is taken on record.

2. Heard learned counsel for the applicants, learned A.G.A. for the State, learned counsel appearing for respondent no. 2 and perused the record.

3. The present application has been filed with the prayer to quash the summoning order dated 16.02.2023 passed in Case No. 26217 of 2023 (State vs. Mahboob Alam & Ors.) arising out of F.I.R. No. 59 of 2022, under Sections 498-A, 323, 506 I.P.C. and Section 3/4 D.P. Act, P.S. Talkatora, District Lucknow as well as its entire proceedings.

4. Learned counsel for the applicants submits that the parties have amicably settled their dispute and a compromise has been arrived between them dated 13.10.2023 (Original copy of the same is appended as Annexure No. 4 to the application).

5. Whether the parties have, in fact, compromised the matter or not, can best be ascertained by the court below, before which, the case is pending. Therefore, the compromise has to be duly verified in presence of the parties concerned before the court below itself.

6. Accordingly, the application is disposed of with direction to the court concerned that if any such compromise is filed before it, it shall issue notice to all its signatories 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.

7. For a period of two weeks, no coercive action shall be taken against the present applicants.

8. Registry is directed to hand over the original copy of the compromise to the learned counsel for the applicants after taking photocopy of the same.

Order Date :- 5.12.2023
VKS

Digitally signed by :-
VIVEK KUMAR SRIVASTAVA
High Court of Judicature at Allahabad,
Lucknow Bench