

Court No. - 23

Case :- APPLICATION U/S 482 No. - 11930 of 2023

Applicant :- Saleem And 4 Others

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

Counsel for Applicant :- Mohd. Islam Khan

Counsel for Opposite Party :- G.A.

Hon'ble Ajai Kumar Srivastava-I,J.

Vakalatnama filed by Mohd. Arshad Khan, Advocate on behalf of opposite party no.2 is taken on record.

Heard Mohd. Islam Khan, learned counsel for the applicants, learned A.G.A. for the State and Mohd. Arshad Khan, learned counsel for opposite party no.2.

The instant application has been filed by the applicants for quashing the entire proceeding of Criminal Case No.545/2017, State vs. Babu & Others, arising out of Case Crime No.0177/2016, under Sections 147, 323, 504, 506 I.P.C., Police Station Biswan, District Sitapur.

Learned counsel for the applicants as well as learned counsel for opposite party no.2 jointly submit that nothing as alleged has been committed by the applicants, however, the applicant and the complainant have entered into a compromise. They have settled their dispute amicably out of the Court and have decided not to contest the case against each other. Copy of the compromise dated 28.10.2023 is annexed as Annexure No.5 to the instant application.

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

Accordingly, this application is finally **disposed of** with a direction to the court concerned that if any such compromise is filed before it, notices be issued to all concerned parties 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 concerned and the compromise will be made part of the record.

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.

The Registry of the Court is directed to return the original compromise deed annexed with the instant application to the learned counsel for the applicants after retaining a photocopy of the same on record.

During the process of verification of the aforesaid compromise, if any process is found to be issued against the applicants, the same shall not be given effect to.

Order Date :- 8.12.2023

A.Dewal