

Court No. - 23

Case :- APPLICATION U/S 482 No. - 11959 of 2023

Applicant :- Vinay @ Vinay Yadav @ Laloo And 3 Others

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

Counsel for Applicant :- Mohit Nigam

Counsel for Opposite Party :- G.A.

Hon'ble Ajai Kumar Srivastava-I,J.

1. Vakalatnama filed by Sri Arun Singh, Advocate on behalf of opposite party no.2 today is taken on record.

2. Heard Sri Mohit Nigam, learned counsel for the applicants, learned A.G.A. for the State-respondent, Sri Arun Singh, learned counsel for opposite party no.2 and perused the entire record.

3. The instant application under Section 482 Cr.P.C. has been filed by the applicants for quashing the entire proceedings of Criminal Case No.26815 of 2021 pending in the Court of Additional Civil Judge-VI, Lucknow as well as charge sheet dated 19.07.2021 for offences under Sections 457, 380, 328, 411 I.P.C. arising out of Crime No.0244 of 2021, Police Station Gosaiganj, District Lucknow in the light of compromise dated 05.10.2023 attained between the parties.

4. 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 on 16.01.2023. 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 16.01.2023 is on record as Annexure No.4 to the instant application.

5. 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.

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

7. 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 applicant to approach this Court again for quashing of the proceedings.

8. The Registry of the Court is directed to return the original compromise deed, if the same is found

to be annexed with the instant application as Annexure No.4 to the learned counsel for the applicant after retaining a photocopy of the same on record.

9. It is also provided that during the process of verification of compromise, process, if any, is found to be issued against the applicants, the same shall not be given effect to qua the present applicants.

Order Date :- 8.12.2023
Mahesh