

Court No. - 23

Case :- APPLICATION U/S 482 No. - 11939 of 2023

Applicant :- Amit Singh Yadav Alias Amit Yadav

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

Counsel for Applicant :- Pankaj Kumar Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Ajai Kumar Srivastava-I,J.

1. Sri Ranjeet Pratap Singh, Advocate has put in appearance on behalf of opposite party No.2 by filing his *vakalatnama* in Court today, which is taken on record.

2. Heard Sri Pankaj Kumar Pandey, learned counsel for the applicant, Sri Ravi Srivastava, learned A.G.A. for the State, Sri Ranjeet Pratap 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 applicant for quashing the entire proceedings of Criminal Case No.76499 of 2023 titled as State vs. Amit Singh Yadav arising out of Case Crime No.390 of 2022, under Section 379 I.P.C., Police Station Sarojini Nagar, District Lucknow, pending in the court of learned Judicial Magistrate-III, Lucknow as well as impugned summoning order dated 12.07.2023 and the impugned charge sheet dated 25.01.2023.

4. Learned counsel for the applicant as well as learned counsel for opposite party No.2 jointly

submit that nothing as alleged has been committed by the applicant, however, the applicant and the complainant have entered into a compromise on 20.11.2023. 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 20.11.2023 is on record as Annexure No.7 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 a period of four weeks from today, notices be issued to all the concerned parties including the injured or victim, if any, 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 any, annexed with the instant application to the learned counsel for the applicant after retaining a photocopy of the same on record.

9. During the process of verification, the impugned summoning order dated 12.07.2023 or any process issued pursuant thereto, shall not be given effect to qua the present applicant, **Amit Singh Yadav alias Amit Yadav.**

(Ajai Kumar Srivastava-I, J.)

Order Date :- 8.12.2023

cks/-