

Court No. - 23

Case :- APPLICATION U/S 482 No. - 11966 of 2023

Applicant :- Juber @ Juber Ahmad And 3 Others

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

Counsel for Applicant :- Shailendra Kumar
Tiwari

Counsel for Opposite Party :- G.A.

Hon'ble Ajai Kumar Srivastava-I,J.

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

2. Heard Sri Shailendra Kumar Tiwari, learned counsel for the applicants, learned A.G.A. for the State-respondent, Sri Ram Suphal, 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 charge sheet no.85 of 2020 dated 14.04.2022 filed by the Investigating Officer as cognizance order dated 28.08.2020 taken by the A.C.J.M., Court No.23, Barabanki in Case Crime No.96 of 2020, under Sections 323, 504, 506 I.P.C., Police Station Kursi, District Barabanki and entire proceeding of criminal case bearing Case No.2085 of 2022 "State vs. Juber and others", pending before the Court of A.C.J.M./FTC Court No.38, Barabanki arising out of Case Crime No.96 of 2020, under Sections 323, 504, 506 I.P.C., Police Station Kursi, District

Barabanki.

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 applicants and the complainant have entered into a compromise on 01.12.2023. 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 01.12.2023 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, 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 annexed with the instant application as Annexure No.4 to the learned counsel for the applicants after retaining a photocopy of the same on record.

9. It is also provided that during the process of verification of compromise, if any process, if any, is found to be issued against the applicants, the impugned cognizance order dated 28.08.2020 or any process issued pursuant thereto, shall not be given effect to qua the present applicants.

Order Date :- 8.12.2023

Mahesh