

Court No. - 12

Case :- APPLICATION U/S 482 No. - 12038 of 2023

Applicant :- Sujeet Kumar And 2 Others

Opposite Party :- State Of U.P Thru. Prin. Secy. Home Civil
Sect. Lko. And 2 Others

Counsel for Applicant :- Rajesh Verma

Counsel for Opposite Party :- G.A., Ram Kailash

Hon'ble Rajeev Singh, J.

1. Sri Ram Kailash, Advocate filed Vakalatnama on behalf of opposite party no. 3 is taken on record.

2. Heard learned counsel for the applicants, learned counsel for opposite party no. 3 as well as learned A.G.A. for the State and perused the record.

3. The instant application has been filed for quashing the entire criminal proceedings of Case No. 88113 of 2022 "***State Vs Sujeet Kumar and another***" arising out of F.I.R. No. 144 of 2019 U/s 498-A, 323, 504, 506, 313 I.P.C. and Section 3 & 4 of D.P. Act, Police Station- Kakori, District- Lucknow pending in the court of learned Additional Chief Judicial Magistrate-VI, Lucknow as well as the impugned charge-sheet dated 25.12.2019 U/s 498-A, 323, 504, 506 & Section 3 & 4 of D.P. Act and the impugned summoning order dated 26.09.2022 on the basis of compromise/settlement agreement dated 28.08.2023.

4. On 12.12.2023 following order was passed:-

"1. Vakalatnama filed by Shri Ram Kailash, Advocate on behalf of opposite party no.3 is taken on record.

2. List this case on 15.12.2023.

3. On the next date, applicant no.1 as well as opposite party no.3 shall appear in person before this Court.

4. Office is directed to show the name of Shri Ram Kailash, Advocate as counsel for opposite party wherever the case is listed in the cause list."

5. In pursuance of aforesaid order, parties are present today before this Court. They have been duly identified by their respective counsels.

6. Private respondent- Anjali states that the issue has already

been resolved between the parties by way of written agreement/compromise.

7. Learned counsel for the applicants submits that both the parties have amicably compromised their dispute. The compromise which has taken place between the parties is also filed before this Court as Annexure No.4 to the application.

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

9. Accordingly, this application is **disposed of** with a direction to the trial court concerned that if any such compromise is filed before it, it shall issue notices 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 and the compromise will be made part of the record.

10. 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.

11. For a period of one month, no coercive action shall be taken against the applicants in the aforesaid case.

12. Office is directed to return the original compromise deed to the learned counsel for the applicants, after taking the photocopy of the same.

Order Date :- 15.12.2023

Arpan