

**Court No. - 12**

**Case :-** APPLICATION U/S 482 No. - 12308 of 2023

**Applicant :-** Vivek Bishnoi

**Opposite Party :-** State Of U.P Thru. Addl. Chief Secy./ Prin. Secy. Home Deptt. Lko And 3 Others

**Counsel for Applicant :-** Suyesh Pradhan

**Counsel for Opposite Party :-** G.A.

**Hon'ble Rajeev Singh,J.**

1. Vakalatnama filed by Mr. Gyanendra Pratap Singh Chauhan, Advocate on behalf of the private respondents is taken on record.

2. Heard learned counsel for the applicant, learned A.G.A. for the State of U.P., learned counsel for the private respondents and perused the record.

3. This application under Section 482 Cr.P.C. has been filed for quashing the impugned charge-sheet dated 18.04.2022 arising out of Case Crime No. 530/2021, under Sections 406, 420 1.P.C, Police Station- Vibhuti Khand, Lucknow East Commissionerate, which is pending against the applicant before learned Chief Judicial Magistrate, Lucknow (***State versus Vivek Bishnoi***) as well as the impugned order dated 23.12.2022 whereby learned court of Chief Judicial Magistrate, Lucknow has taken the cognizance of the said impugned charge sheet and summoned the applicant and all the consequential proceeding as arising out of this instant case.

4. Learned counsel for the applicant as well as learned counsel for private respondents jointly submitted that vide order dated 11.08.2023 a direction was given to the court concerned to verify the factum of compromise executed by the parties. In pursuance of the aforesaid order, learned court concerned had verified the contents of compromise.

5. Learned counsel for the applicant and learned counsel for private respondents jointly submitted that the parties have entered into compromise, which has duly been verified by the court concerned vide report/order dated 29.11.2023.

6. Learned A.G.A. has fairly conceded that compromise has been effected between the parties and the same has duly been verified by the court concerned.

7. Hon'ble Apex Court in catena of decisions has held that inherent power can be used to do real and substantial justice as has been held in *Gian Singh Vs State of Punjab, 2012 AIR SCW 5333, B.S. Joshi and others Vs State of Haryana, (2003) 3 SCC 675 and Narinder Singh Vs State of Punjab, (2014) 6 SCC 466*. Hence, inherent power can be exercised to speed up the process of ending the criminal proceedings where the settlement is arrived at between the parties.

8. In view of the aforesaid and the fact that parties do not want to pursue the case any further, the matter is purely of personal nature, which has been mutually settled between the parties by way of the compromise, therefore, no useful purpose would be served in proceeding with the matter further.

9. For the discussions made above, the present application is **allowed** and the impugned charge-sheet dated 18.04.2022 arising out of Case Crime No. 530/2021, under Sections 406, 420 1.P.C, Police Station- Vibhuti Khand, District- Sitapur, which is pending against the applicant before learned Chief Judicial Magistrate, Lucknow (*State versus Vivek Bishnoi*) as well as the impugned order dated 23.12.2022 whereby learned court of Chief Judicial Magistrate, Lucknow has taken the cognizance of the said impugned charge sheet and summoned the applicant, and all the entire proceedings thereof are hereby **quashed**.

10. Office is directed to communicate this order to the trial court as well as Station House Officer, Police Station- Vibhuti Khand, Lucknow East Commissionerate, forthwith.

**Order Date :- 18.12.2023**

Arpan