

Court No. - 12

Case :- APPLICATION U/S 482 No. - 12439 of 2023

Applicant :- Yasin Abbas

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

Counsel for Applicant :- Akhilesh Upadhyay

Counsel for Opposite Party :- G.A.

Hon'ble Rajeev Singh,J.

1. Heard learned counsel for the applicant, learned A.G.A. for the State of U.P. and perused the record.
2. This application under Section 482 Cr.P.C. has been filed for quashing the entire proceedings of the Criminal Case No. 5080 of 2022 "***State Versus Yaseen Abbas***" arising out of Case Crime No. 022 of 2021 under Sections 419, 420, 406, 504, 506, 467, 471 I.P.C., Police Station- Vajeerganj, District- Gonda pending in the court of learned Civil Judge (Senior Division)/F.T.C. District- Gonda and impugned charge sheet dated 22.09.2021.
3. Learned counsel for the applicant 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.
4. Learned counsel for the applicant submitted that the parties have entered into compromise, which has duly been verified by the court concerned vide report/order dated 22.08.2023.
5. 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.
6. 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.

7. 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.

8. For the discussions made above, the present application is **allowed** and the entire proceedings of the Criminal Case No. 5080 of 2022 "***State Versus Yaseen Abbas***" arising out of Case Crime No. 022 of 2021 under Sections 419, 420, 406, 504, 506, 467, 471 I.P.C., Police Station- Vajeerganj, District- Gonda pending in the court of learned Civil Judge (Senior Division)/F.T.C. District- Gonda and impugned charge sheet dated 22.09.2021 are hereby **quashed**.

9. Office is directed to communicate this order to trial court forthwith.

Order Date :- 20.12.2023

Arpan