

Court No. - 12

Case :- APPLICATION U/S 482 No. - 12515 of 2023

Applicant :- Mukesh Singh

Opposite Party :- State Of U.P. Thru. Addl. Chief Secy. Home Lko. And Another

Counsel for Applicant :- Prince Singh, Manoj Kumar Dwivedi, Sanchita Singh

Counsel for Opposite Party :- G.A.

Hon'ble Rajeev Singh, J.

1. Vakalatnama filed by Sri Bishlendra Prasad, Advocate on behalf of opposite party no.2 is taken on record.
2. Heard learned counsel for the applicant, learned counsel for opposite party no.2, learned A.G.A. for the State and perused the record.
3. The instant application has been filed for quashing the charge-sheet dated 30.01.2013 arising out of Case Crime No. 22/2013, under Sections 452, 323, 504, 506 I.P.C., Police Station- Kaisarbagh, District- Lucknow as well as the order dated 11.08.2023 passed by learned Additional Chief Judicial Magistrate-I, Lucknow and the the entire proceedings of Criminal Case No. 531/2013.
4. Learned counsel for the applicant submits that due to inadvertence, in the prayer of memo of present application, Section 423 I.P.C. is wrongly typed in place of Section 323 I.P.C., hence, permission may be given to correct the same.
5. The prayer for correction in the memo of application is allowed. Learned counsel for the applicant is permitted to make necessary amendments in the prayer of memo of revision.
6. Learned counsel for the applicant 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.
7. 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.

8. 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.

9. 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.

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

11. Office is directed to return the original compromise deed, if any, to the learned counsel for the applicant, after taking the photocopy of the same.

Order Date :- 21.12.2023

Arpan