Court No. - 12

Case :- APPLICATION U/S 482 No. - 12751 of 2023

Applicant :- Mohammad Ayub Khan And 4 Others
Opposite Party :- State Of U.P. Thru. Secy. Home U.P. Lko. And Another
Counsel for Applicant :- Komal Prasad Tiwari
Counsel for Opposite Party :- G.A.

Hon'ble Rajeev Singh,J.

1. Vakalatnama filed by Shri Pushkal Shukla, Advocate on behalf of respondent no. 2 is taken on record.

2. Heard learned counsel for the applicants, learned A.G.A. for the State, learned counsel appearing for respondent no. 2 and perused the record.

3. The present application has been filed with the prayer to quash the charge sheet dated 19.11.2016, as well as cognizance order dated 05.05.2017 passed in F.I.R. No. 239 of 2016, under Sections 498-A, 323, 504, 506 I.P.C. and Section 3/4 D.P. Act, P.S. PGI, District Lucknow and its entire proceedings.

4. Learned counsel for the applicants submits that the parties have amicably settled their dispute and a compromise has been arrived between them dated 15.12.2023 (Original copy of the same is appended as Annexure No. 4 to the application).

5. Whether the parties have, in fact, compromised the matter or not, can best be ascertained by the court below, before which, the case is pending. Therefore, the compromise has to be duly verified in presence of the parties concerned before the court below itself.

6. Accordingly, the application is disposed of with direction to the court concerned that if any such compromise is filed before it, it shall issue notice to all its signatories 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. The court 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.

7. For a period of two weeks, no coercive action shall be taken against the present applicants.

8. Registry is directed to hand over the original copy of the compromise to the learned counsel for the applicants after taking photocopy of the same.

Order Date :- 22.12.2023
VKS

Digitally signed by :-
VIVEK KUMAR SRIVASTAVA
High Court of Judicature at Allahabad,
Lucknow Bench