

Court No. - 75

Case :- APPLICATION U/S 482 No. - 23688 of 2024

Applicant :- Baldev And 2 Others

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Jitendra Srivastava

Counsel for Opposite Party :- G.A.,Rishikesh Tripathi

Hon'ble Raj Beer Singh,J.

1. Certified copy of the compromise verification report filed in Court today, is taken on record.
2. Heard learned counsel for the applicants, learned counsel for opposite party no. 2/complainant and learned AGA for the State.
3. This application u/s 482 Cr.P.C. has been filed for quashing of the entire proceedings, including summoning order dated 11.09.2009, of Session Case No. 669 of 2023, arising out of complaint case No. 667 of 2007, under Sections 307, 504, 323, 506 IPC, P.S. Maudaha, District Hamirpur, pending in the court of Spl. Judge, SC/ST Act, Hamirpur, on the basis of compromise arrived at between the parties.
4. It has been submitted by learned counsel for the applicants that the alleged dispute between the parties has taken place due to misconception and that now both the parties have amicably settled the dispute and compromised the matter. The complainant/injured of the case does not want to pursue the impugned proceedings against the applicants. It was submitted that the compromise filed by the parties before the trial court concerned, has already been verified by the court concerned, copy of which is available on record. It was stated that in view of these facts and circumstances, no useful purpose would be served by keeping the impugned proceedings pending and thus, the impugned proceedings may be

quashed on the basis of compromise arrived at between the parties.

5. Learned counsel for opposite party no. 2/complainant has concurred with the arguments of learned counsel for the applicants and submitted that both the parties have amicably settled the dispute and compromised the matter and the complainant/injured of the case does not want to proceed with the case pending before the trial court and the impugned proceedings may be quashed.

6. Learned A.G.A. has no objection if parties compromise the matter.

7. I have considered the submissions and perused the record.

8. It is well settled that in appropriate cases criminal proceedings may be quashed on the basis of compromise between the parties. In the instant case, it appears that the dispute between the parties appears to be private in nature and does not have any serious impact on society if parties compromise the matter. The injured/complainant of the case has not sustained any serious injury and that no case under Section 307 IPC is made out against the applicants. There is nothing to indicate that parties have any criminal antecedents. Both the parties are residents of same town. The informant/injured of the case does not want to proceed with the case against the applicants. The compromise filed by the parties before the trial court, has already been verified by the court concerned. Considering the law laid down in the case of **State of Madhya Pradesh Vs. Laxmi Narayan and others**, AIR 2019 SC 1296 and the facts of the matter, it would be in the interest of justice that the impugned proceedings be quashed, as the continuance of the same would be nothing but wastage of time of Court.

9. In view of the aforesaid, the impugned summoning order and entire proceedings of the aforesaid complaint case against applicants, namely, **Baldev, Ramvir and Shiv Prasad** are hereby quashed.

10. The application u/s 482 Cr.P.C. is **allowed**.

Order Date :- 19.12.2024

Anand