

Court No. - 29

Case :- APPLICATION U/S 482 No. - 2675 of 2024

Applicant :- Sparsh Gupta And Another

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Lko. And 2 Others

Counsel for Applicant :- Indrajeet

Counsel for Opposite Party :- G.A.,Amit Kumar Srivastava

Hon'ble Ajay Bhanot,J.

Heard Shri Indrajeet, learned counsel for the applicants, Shri Amit Kumar Srivastava, learned counsel for the opposite party Nos.2 and 3 and Shri S.P. Tiwari, learned A.G.A. for the State.

Shri Indrajeet, learned counsel for the applicants and Shri Amit Kumar Srivastava, learned counsel for the opposite party Nos.2 and 3 submit that the applicants and the opposite party Nos.2 and 3 have arrived at a settlement. The applicants have paid the compensation of Rs.10,000/- by way of a bank draft in the name of the opposite party nos.2 and 3.

The applicants are present before the Court. They acknowledged the selfless service rendered by the opposite party Nos. 2 and 3 who are specialist doctors posted in the Emergency Medicine Department of the Ram Manohar Lohiya Ayurvedic Sansthan Hospital, Lucknow.

Prima facie from the records, the Court finds that a contrite apology was submitted by the applicants and the

amount has been given to the opposite party Nos.2 and 3 as part of the acknowledgement of harassing. However, it is clarified that no further action shall be taken against the applicants in any court of law on account of the aforesaid gesture.

The parties are present in the Court. They have been identified by Shri Indrajeet, learned counsel for the applicants and Shri Anil Kumar Srivastava, learned counsel for the opposite party Nos.2 and 3 and Shri S.P. Tiwari, learned A.G.A. for the State.

The litigation shall detract the opposite parties Nos.2 and 3 from their pious duties to the patients in the hospital.

In this wake, the chargesheet No.1 of 2023 dated 21.03.2023 as well as the entire proceedings of Case No.49772 of 2023 (State v. Sparsh Gupta and others as well as the cognizance and summoning order dated 16.05.2023 and the bailable warrant dated 17.11.2023/07.01.2024 under Sections 323, 353, 504, 506 IPC, Police Station-Vibhuti Khand, District-Lucknow, pending before the learned Additional Chief Judicial Magistrate-II, Court No.26, Lucknow are quashed.

The Application U/S 482 is allowed.

Order Date :- 21.3.2024

Ashish Tripathi