

Court No. - 29

Case :- APPLICATION U/S 482 No. - 2750 of 2024

Applicant :- Suraj @ Suraj Yadav And 2 Others

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

Counsel for Applicant :- Vivek Kumar Verma, Rakesh Kumar Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Ajay Bhanot, J.

Shri Pravin Kumar, Advocate has filed his Vakalatnama on behalf of respondent No.2, which is taken on record.

Heard Shri Vivek Kumar Verma, learned counsel for the applicants and Shri Pravin Kumar Verma, learned counsel for opposite No.2.

The application U/S 482 Cr.P.C. has been filed by the applicants to quash the proceedings of the Criminal Case No.40902 of 2023 (State Vs. Suraj and others) arising out of Case Crime No.07 of 2020, under Section 420, 406, 411, 120B IPC and 66D, 66 C IT Act, Police Station- Cyber Crime, District- Lucknow pending before the learned Special Chief Judicial Magistrate (Custom) Lucknow and charge sheet No.4 of 2022 dated 04.03.2022 as well as the impugned cognizance and summoning order dated 10.04.2023 .

Learned counsel for the parties submit that the parties are well acquainted to each other. A civil dispute arose between the parties. The parties have amicably resolved their differences and have arrived at a compromise. The compromise has been reduced to writing and duly

executed by the parties. The compromise has also been verified by the learned trial court in terms of the order dated 30.01.2024 appended as Annexure-1 to the application.

The aforesaid facts could not be disputed by the learned A.G.A. and borne out from the records.

Continuance of criminal proceedings in these circumstances will be an exercise in futility as there is no possibility of conviction of the applicants. Further the proceedings will entail wastage of precious judicial time and create bad blood between the parties.

No useful purpose would be served by keeping the application pending.

In the wake of the aforesaid, the entire proceedings of Criminal Case No.40902 of 2023 (State Vs. Suraj and others) arising out of Case Crime No.07 of 2020, under Section 420, 406, 411, 120B IPC and 66D, 66 C IT Act, Police Station- Cyber Crime, District- Lucknow pending before the learned Special Chief Judicial Magistrate (Custom) Lucknow and charge sheet No.4 of 2022 dated 04.03.2022 as well as the impugned cognizance and summoning order dated 10.04.2023 are quashed.

The Application U/S 482 Cr.P.C. is allowed.

Order Date :- 21.3.2024
Ashutosh