

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9372 of 2024

Petitioner :- Nitin Tiwari @ Vineet And Others

Respondent :- State Of U.P. Thru. Secy. Home Lko. And Others

Counsel for Petitioner :- Alok Kumar Singh

Counsel for Respondent :- G.A.,Anurag Singh

Hon'ble Vivek Chaudhary,J.

Hon'ble Om Prakash Shukla,J.

1. Heard learned counsel for the petitioners, learned A.G.A. for the State and Sri Anurag Singh, learned counsel for opposite party no.4.
2. By means of this writ petition, the petitioners have sought quashing of the First Information Report dated 12.11.2024 bearing Case Crime No.0321 of 2024, under Sections 115(2), 352, 351(1), 316(2) of B.N.S., 2023, Police Station Fardhan, District Lakhimpur Kheri. Petitioners also pray for quashing of entire criminal proceeding in the aforesaid case crime number.
3. On 10.12.2024, parties were directed to appear before the Senior Registrar for verification of compromise.
4. The report of the Senior Registrar of this Court dated 13.12.2024 is on record, according to which, he has verified the compromise on 13.12.2024. The original compromise is on record which has been annexed as Annexure-2 to the writ petition.
5. According to the terms of the compromise, parties have decided to withdraw all the cases filed by them against each other including F.I.R. dated 12.11.2024 bearing Case Crime No.0321 of 2024, under Sections 115(2), 352, 351(1), 316(2) of B.N.S., 2023, Police Station Fardhan, District Lakhimpur Kheri.
6. Learned counsel for the parties state that the parties have amicably settled their dispute by way of compromise, therefore, no useful purpose would be served in keeping this petition

pending.

7. Intent is clear, the informant, who is a signatory to the compromise, does not want to press the FIR, therefore, no purpose would be served in allowing the proceedings even if charge sheet has been filed before the court below to go on considering the nature of the dispute.

8. Accordingly, the impugned FIR, which is the basis to serve consequential proceedings of investigation and thereafter filing of charge sheet, if any, is hereby quashed. Consequently, all proceedings taken consequent to the lodging of the FIR including charge sheet, if any, filed before the court below stand quashed.

9. The writ petition is, accordingly, ***allowed***.

10. The Senior Registrar of this Court shall communicate this order to the court concerned for correcting its record, accordingly.

11. Learned AGA shall communicate this order to the investigating officer.

[Om Prakash Shukla, J.] [Vivek Chaudhary, J.]

Order Date :- 18.12.2024

Piyush/-