Court No. - 14

Case :- APPLICATION U/S 482 No. - 3312 of 2016

Applicant :- Chandrika Singh And 02 Ors.
Opposite Party :- State Of U.P. And Anr.
Counsel for Applicant :- Hari Shanker Tewari
Counsel for Opposite Party :- Govt. Advocate,Pramod Kumar Singh

Hon'ble Ajai Kumar Srivastava-I,J.

1. Heard Sri Ajai Tiwari, Advocate holding brief of Shri Hari Shankar Tiwari, learned counsel for the applicant, Sri Rajesh Kumar Singh, learned A.G.A.-I for the State-respondent, Sri Pramod Kumar Singh, learned counsel for opposite party no.2 and perused the entire record.

2. The instant application under Section 482 Cr.P.C. has been filed by the applicant for quashing the proceeding of criminal complaint case no.314 of 2015 "Gyanmati vs. Chandrika Singh and other", under Sections 323, 504, 506, 427 I.P.C., Police Station Udaipur, District Pratapgarh, pending before Judicial Magistrate, Nayayalaya, Lalganj, Pratapgarh as well as summoning order dated 19.04.2016 passed by Judicial Magistrate, Lalganj, District Pratapgarh in criminal complaint case no.314 of 2015 "Gyanmati vs. Chandrika Singh and another" against the applicants.

3. Learned counsel for the applicants as well as learned counsel for opposite party no.2 jointly submit that nothing as alleged has been committed by the applicants, however, the

applicants and the complainant have entered into a compromise on 20.08.2024. They have settled their dispute amicably out of the Court and have decided not to contest the case against each other. Copy of the compromise dated 20.08.2024 is on record as Annexure No.SA-2 to the supplementary affidavit.

4. Whether the parties have, in fact, compromised the matter or not, can best be ascertained by the court below, as such, compromise has to be duly verified in presence of the concerned parties before the court below.

5. Accordingly, this application is finally **disposed of** with a direction to the court concerned that if any such compromise is filed before it, notices be issued to all the signatories to the compromise 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 concerned and the compromise will be made part of the record.

6. The court concerned 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 applicant to approach this Court again for quashing of the proceedings.

7. The Registry of the Court is directed to return the original compromise deed annexed with the supplementary affidavit to the learned counsel for the applicant after retaining a photocopy of the

same on record.

8. It is also provided that during the process of verification of compromise, **the impugned summoning order dated 19.04.2016 or any process issued pursuant thereto, shall not be given effect to qua the present applicants, namely, Chandrika Singh, Subham Singh and Anshu Singh.**

Order Date :- 14.11.2024
Mahesh

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