Court No. - 13

Case :- APPLICATION U/S 482 No. - 7830 of 2023

Applicant :- Sudha Mishra And Another
Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Deptt. U.P. Lucknow And Another
Counsel for Applicant :- Abhishek Singh
Counsel for Opposite Party :- G.A.,Arun Constance Silvano,Sanjay Rogers,Vikas Kumar Goswami

Hon'ble Rajeev Singh,J.

1. Heard learned counsel for the applicants, learned AGA for the State of U.P., learned counsel for the opposite party no. 2 and perused the record.

2. This application under Section 482 CrPC has been filed for quashing the charge-sheet dated 22.01.2014 filed in Case Crime No.177 of 2013, under Sections 504, 427, 147, 323 I.P.C., Police Station Qaiserbagh, District Lucknow as well as summoning order dated 09.10.2014 passed by Additional Chief Judicial Magistrate-I, Lucknow.

3. It has been contended by learned counsel for the applicants that the dispute between the parties is ownership right in nature. This court vide order dated 09.08.2023 had referred the matter to the Mediation and Conciliation Centre of this Court where settlement agreement had arrived on 22.05.2024 between the parties, which is on record. The parties have amicably settled their dispute and further agreed to withdraw the cases going on between them. The said fact has been mentioned in para-7 of the settlement agreement dated 22.05.2024.

4. Hon'ble Apex Court in catena of decisions has held that inherent power can be used to do real and substantial justice as has been held in **Gian Singh Vs State of Punjab, 2012 AIR SCW 5333, B.S. Joshi and others Vs State of Haryana, (2003) 3 SCC 675** and **Narinder Singh Vs State of Punjab, (2014) 6 SCC 466**. Hence, inherent power can be exercised to speed up the process of ending the criminal proceedings where the settlement is arrived at between the parties.

5. In view of the aforesaid and the fact that parties do not want to pursue the case any further, the matter has been mutually settled between the parties by way of the mediation, therefore, no useful purpose would be served in proceeding with the matter further.

6. Considering the facts and circumstances of the case and

taking into account the settlement agreement arrived at between the parties on 22.05.2024 before the Mediation and Conciliation Centre of this Court, the present application is **allowed** and the entire criminal proceedings of Criminal Case No.4080 of 2014 arising out of Case Crime No.177 of 2013, under Sections 504, 427, 147, 323 I.P.C., Police Station Qaiserbagh, District Lucknow as well as summoning order dated 09.10.2014 passed by learned Additional Chief Judicial Magistrate-I, Lucknow are hereby quashed.

7. Office is directed to communicate this order to trial court forthwith.

Order Date :- 9.12.2024.
Rks.

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