

Court No. - 68

Case :- APPLICATION U/S 482 No. - 22475 of 2022

Applicant :- Satender Singh And 2 Others

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Sandeep Kumar Srivastava

Counsel for Opposite Party :- G.A.,Ajay Kumar Mishra

Hon'ble Shekhar Kumar Yadav,J.

Heard Mr. Sandeep Kumar Srivastava, learned counsel for the applicants, learned A.G.A. for the State and Mr. Ajay Kumar Mishra, learned counsel for the opposite party no.2.

This application under Section 482 Cr.P.C. has been filed by applicants to quash the charge sheet no.152 of 2022 dated 22.6.2022 in Criminal Case No.2105 of 2022 arising out of Case Crime No.84 of 2022, under Sections 323, 504, 324, 147, 506, 308 IPC, Police Station Mandi Dhanaura, District J.P. Nagar (Amroha) on the basis of compromise dated 14.07.2022.

Learned counsel for the applicants has submitted that the parties have entered into compromise and the same has been filed before the court below, which was verified by the court below on 09.09.2022, copy of the same has been placed on record. He has further submitted that since parties have settled the dispute, opposite party no.2 also does not want to proceed with trial, therefore, no fruitful purpose would be served by keeping the matter pending.

On the other hand, learned counsel for the opposite party no.2 submits that since the dispute between the parties has been settled, opposite party no.2 has no objection if the proceedings of the aforesaid case pending before the trial court is quashed.

I have considered the submissions made by the learned counsel for the parties and have gone through the entire record.

The Hon'ble Apex Court in catena of decisions, viz., ***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***, has held that inherent power can be used to do real and substantial justice. 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.

Since the dispute between the parties has been amicably and mutually settled, no fruitful purpose would be served by permitting to continue the criminal case pending before the trial court and it would simply be a waste of time if the aforesaid case is permitted to continue till its logical conclusion.

In view of the aforesaid, the Application u/s 482 Cr.P.C. is **allowed.**

The entire proceedings of Criminal Case No.2105 of 2022 arising out of Case Crime No.84 of 2022, under Sections 323, 504, 324, 147, 506, 308 IPC, Police Station Mandi Dhanaura, District J.P. Nagar (Amroha) are hereby quashed.

Order Date :- 28.2.2023

Ajeet