

Court No. - 12

Case :- APPLICATION U/S 482 No. - 8778 of 2023

Applicant :- Ram Kumar And Others

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Deptt. Civil Sectt. U.P. Lko. And Others

Counsel for Applicant :- Rakesh Kumar Nayak

Counsel for Opposite Party :- G.A.

Hon'ble Rajeev Singh,J.

1. Vakalatnama filed by Sri Amit Kumar Tiwari, Advocate on behalf of the opposite party no.2 is taken on record.

2. Heard, Sri R.K. Nayak, 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.

3. This application under Section 482 Cr.P.C. has been filed for quashing the proceeding of Criminal Case No.499/2021 arising out of Case Crime No.49/1986 under Sections 147, 323, 325 I.P.C. Police Station Bhati, District Ambedkar Nagar.

4. Learned counsel for the applicants as well as opposite party No.2 jointly submitted that vide order dated 8.8.2023 a direction was given to the court below to verify the factum of compromise executed by the parties. In pursuance of the aforesaid order, the learned Addl. Civil Judge (J.D.), J.M., Ambedkar Nagar, verify the contents of compromise and it was duly verified.

5. Learned counsel for the applicant and learned counsel for opposite party no. 2 jointly submitted that the parties have entered into compromise, which has duly been verified by the court below vide report dated 19.8.2023.

6. Learned A.G.A. has fairly conceded that compromise has been effected between the parties and the same has duly been verified by the court below.

7. 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.

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

9. For the discussions made above, the present application is **allowed** and entire Proceedings of Criminal Case No.499/2021 arising out of Case Crime No.49/1986 under Sections 147, 323, 325 I.P.C. Police Station Bhati, District Ambedkar Nagar, is hereby **quashed**.

Order Date :- 30.8.2023

Gaurav/-