

**Court No. - 88**

**Case :-** APPLICATION U/S 482 No. - 15327 of 2020

**Applicant :-** Dharmendra Kumar Verma

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

**Counsel for Applicant :-** Sanjay Kumar Dubey, Mohd. Aslam Khan, Peeyush Kumar Pathak

**Counsel for Opposite Party :-** G.A., Padmakar Rai, Thakur Prasad Yadav

**Hon'ble Ajai Tyagi, J.**

Heard learned counsel for applicant, learned AGA for the State, learned counsel for the Opposite Party No. 2 and perused the record.

This application under Section 482 Cr.P.C. has been filed by the applicant with the prayer to quash the entire proceedings of Special Trial No.1682 of 2019 (State of UP Vs. Dharmendra Kumar Verma) under Section 376, 420, 328, 120B IPC and Section 67 The Information Technology Act, 2008 and Section 3(2)5 SC/ST Act, Police Station- Nawabad, District- Jhansi as well as charge sheet dated 26.10.2019 arising out of Case Crime No.490 of 2019.

It is submitted by learned counsel for the applicant that all the disputes and differences have been settled between the parties and compromise arrived at between the parties has also been verified by the court concerned. Hence, continuation of the proceedings of the aforesaid case will be an abuse of process of law, as no fruitful purpose would be served in keeping the matter pending. In support of his contention, learned counsel has also placed reliance on the law laid down by Apex Court in **Gian Singh vs. State of Punjab, (2012), 10 SCC 303, B.S. Joshi and others vs. State of Haryana and another, (2003) 4 SCC 675 and Madan Mohan Abbot vs. State of Punjab, (2008) 4 SCC 582.**

Pursuant to the order of this High Court, compromise between the parties has been verified by the court below, copy of which has been sent and forms part of the present application.

Learned counsel for the applicant has next submitted that in view of the compromise made between the parties, entire proceedings be quashed.

Learned counsel for the opposite party no.2 has made the statement at the bar that parties have entered into a compromise

and now, no dispute remains between them and compromise has also been verified by the court below and he has no objection, if the entire proceedings are quashed.

This Court is not unmindful of the judgements of the Apex Court in the cases of:-

- 1. B.S. Joshi and others Vs. State of Haryana and another (2003) 4 SCC 675.**
- 2. Nikhil Merchant Vs. Central Bureau of Investigation [2008) 9 SCC 677].**
- 3. Manoj Sharma Vs. State and others ( 2008) 16 SCC 1.**
- 4. Gian Singh Vs. State of Punjab (2012) 10 SCC 303.**
- 5. Narindra Singh and others Vs. State of Punjab ( 2014) 6 SCC 466.**

Wherein the Apex Court has categorically held that compromise can be made between the parties even in respect of certain cognizable and non compoundable offences. Reference may also be made to the decision given by this Court in **Shaifullah and others Vs. State of U.P. and another [2013 (83) ACC 278]**, in which the law expounded by the Apex court in the aforesaid cases has been explained in detail.

Considering the facts and circumstances of the case, as noted herein above, and also the submissions made by the counsel for the parties, the court is of the considered opinion that no useful purpose shall be served by prolonging the proceedings of the above mentioned case.

Accordingly, the entire proceedings of aforesaid case are hereby quashed.

This application under Section 482 CrPC is accordingly allowed. There shall be no order as to costs.

**Order Date :- 13.10.2022**  
Ashutosh Pandey