Court No. - 12

Case :- APPLICATION U/S 482 No. - 8145 of 2024

Applicant :- Dinesh Chandra Sharma
Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Lko. And Another
Counsel for Applicant :- Sachin Srivastava
Counsel for Opposite Party :- G.A.,Rajiv Kumar Bajpai

Hon'ble Alok Mathur,J.

1. Heard Sri Sachin Srivastava, learned counsel for the applicant as well as learned Additional Government Advocate for the State of U.P. and Ms. Suparna Mishra, Advocate holding brief of Sri Rajiv Kumar Bajpai, learned counsel appearing for opposite party no. 2.

2. By means of present application u/s 482 Cr.P.C., the applicant has prayed for quashing the order dated 31.08.2024, passed by the Additional District & Sessions Judge, Court No. 1, Sultanpur in Criminal Revision No. 131 of 2024 - Dinesh Chandra Sharma Vs. Ramesh Chandra Sharma and Another, as well as for quashing the summoning order dated 29.02.2024, passed by the Additional Civil Judge (Senior Division) Ist/Additional Chief Judicial Magistrate, Sultanpur in Complaint Case No. 12794 of 2023 - Ramesh Chandra Sharma Vs. Dinesh Chandra Sharma & Another, Police Station - Kotwali Nagar, District - Sultanpur.

3. It has been contended by learned counsel for the applicant that this Court by means of order dated 11.09.2024, directed the parties to appear before Mediation and Conciliation Center of this Court on 20.09.2024 for participating in the mediation proceedings. In compliance of aforesaid order, the parties appeared before the Mediation and Conciliation Center on the date fixed and after some deliberations and discussions between the parties under the guidance of Mediators a settlement-agreement has been drawn between the parties and a report dated 07.12.2024 of the Mediation Center to this effect has been submitted for perusal of this Court. It is prayed that the aforesaid orders may be quashed in view of the settlement-agreement dated 07.12.2024.

4. Learned counsel for the applicant in support of his contention has placed reliance on the judgment of Hon'ble Apex Court in the case of **Manoj Sharma Vs. State, (2008) 16 SCC 1**,

Narinder Singh Vs. State of Punjab, (2014) 6 SCC 466 and **Yogendra Yadav Vs. State of Jharkhand, (2014) 9 SCC 653** and has submitted that the applicant as well as opposite party no. 2 have settled the dispute and as such opposite party no. 2 does not want to press the present case against the applicant.

5. Learned counsel appearing for opposite party no. 2 and learned Additional Government Advocate have stated that they have no objection in case the aforesaid orders are set aside in the light of the settlement-agreement dated 07.12.2024.

6. Heard learned counsel for the parties and perused the record.

7. From the perusal of the record it is apparent that the parties have entered into settlement-agreement before the Mediation and Conciliation Center of this Court and have settled their dispute amicably. The settlement-agreement dated 07.12.2024, is made part of the record.

8. In this regard, the view taken by the Apex Court in the case of **Manoj Sharma Vs. State (supra), Narinder Singh Vs. State of Punjab (supra)** and **Yogendra Yadav Vs. State of Jharkhand (supra)**, which have been relied upon by the learned counsel for the applicant finds force that this Court in exercise of its inherent power under Section 482 Cr.P.C. can quash the proceedings/set aside the impugned orders as the dispute has been amicably settled between the parties.

9. In the light of the fact that the settlement-agreement has arrived at between the applicant and the private respondent and same does not effect the public at large, and would only amount to settlement of private dispute between the parties, no useful purpose will be served by allowing the applicant to be prosecuted in the aforesaid cases, therefore the proceedings of the aforesaid cases are quashed as well as impugned orders dated 31.08.2024 and 29.02.2024 are hereby set aside, accordingly this application under Section 482 Cr.P.C. is **allowed**.

Order Date :- 3.4.2025
A. Verma

(Alok Mathur, J.)

Digitally signed by :-
ANURAG VERMA
High Court of Judicature at Allahabad,
Lucknow Bench