

Court No. - 49

WWW.LIVELAW.IN

Case :- APPLICATION U/S 482 No. - 8350 of 2021

Applicant :- Satish And 2 Others

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

Counsel for Applicant :- Rakesh Chandra Tiwari

Counsel for Opposite Party :- G.A., Sushil Jaiswal

Hon'ble Vivek Agarwal, J.

1. Heard Sri Rakesh Chandra Tiwari, learned counsel for the applicants and Sri Sushil Jaiswal, learned counsel for the private respondents.

2. Learned counsel for the parties submit that they have entered into a compromise in relation to Case Crime No.293C of 2014 in Criminal Case No.77 of 2017 (State Vs. Satish and others), under Sections 323, 504, 506, 354(Ka), 354(Kha) IPC and 3(1)(XI) of SC/ST Act.

3. Sri Nagendra Srivastava, learned AGA for the State submits that this is a matter pertaining to SC/ST Act. He submits that there is a growing tendency on the part of the complainant to make accusations/collect compensation from the State Government and then enter into compromise.

4. This Court is of the opinion that when matters are sought to be compromised, then they are necessarily in the realm of personal disputes and not crime against society. If society has not committed any atrocity on a member belonging to Scheduled Caste and Scheduled Tribe and such member decides to compromise a matter, then said victim is required to repay the State any benefit reaped by the victim, as per the benevolent scheme of the State to pay compensation to members of such community.

5. Therefore, on condition of complainant either filing an

undertaking that complainant has not taken any monetary benefit from the State or in case, any monetary benefit has been reaped from the State, then on a condition to deposit the same before the trial court to be transmitted to the concerned authorities of the State, concerned Court shall verify the factum of compromise and furnish its report before the court.

6. Parties are directed to appear before the court concerned on 15.09.2021, for which, no separate notice will be required. Court concerned after taking into consideration above noted facts will verify the compromise or record its finding otherwise and furnish its report on or before 22.09.2021.

6. List this case on 24.09.2021.

7. It is directed that, till the next date of listing, no coercive action be taken against the applicants.

Order Date :- 3.9.2021

Ashutosh