



2025:AHC:174975

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 34920 of 2025

Yogesh Sharma Alias Chotu Vaidyaji

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Mohd. Afzal Ansari, Praveen Kumar Singh

Counsel for Opposite Party(s) : G.A.

Court No. - 92

HON'BLE RAM MANOHAR NARAYAN MISHRA, J.

1. Short counter affidavit filed in the Court today is taken on record.
2. Heard learned counsel for the applicant, learned A.G.A. for the State of U.P., learned counsel for the opposite party no. 2 and perused the record.
3. This application u/s 528 B.N.S.S. has been filed for quashing of the entire proceedings, including impugned order dated 08.05.2025, of Case No. 1150 of 2023, arising out of Case Crime No. 202 of 2022, under Sections 406, 420, 467, 468, 471, 120-B IPC, P.S.- Khurja, District- Bulandshahr, pending in the court of A.C.J.M., Khurja, District Bulandshahr, on the basis of compromise arrived at between the parties.
4. Learned counsel for the applicant submits that parties have already compromised the matter and compromise has been verified before learned A.C.J.M, Khurja between the informant (O.P. No. 2) and the applicant. An application for verification of compromise and quashing the proceedings in the light of compromise was dismissed by learned trial court vide order dated 08.05.2025 on the ground that the offence is not compoundable and of serious nature and serious allegations are made against the accused persons. He further submits that role of the applicant in the prosecution version is only that he had facilitated the deal between the informant and co-accused Naveen Kumar Sharma and Yogendra Kumar Sharma. He next submits that the informant gave Rs. 3,50,000/- to said Naveen Kumar Sharma and Yogendra Kumar Sharma for getting government job. He further submits that proceedings of criminal case No. 1309 of 2023 arising out of same offence has already been quashed in respect of main accused Naveen Kumar

Sharma and Yogendra Kumar Sharma in Application under Section 528 B.N.S.S. No. 25246 of 2025 passed by Co-ordinate Bench of this Court.

5. Learned counsel for the Opposite Party No. 2 has also concurred with arguments of learned counsel for the applicants and submitted that dispute between the parties has been amicably settled and the impugned proceedings may be quashed on the basis of compromise. It was pointed out that parties have already filed an application for compromise before the trial court and a short Counter-Affidavit of the informant/Opposite Party No. 2 has been filed before this Court, wherein it has been mentioned that impugned proceedings may be quashed.

6. Learned A.G.A. has no objection if parties compromise the matter.

7. I have considered the submissions and perused the record.

8. It is well settled that in appropriate cases criminal proceedings may be quashed on the basis of compromise by invoking inherent powers enshrined under Section 528 B.N.S.S. In the instant case, the matter relates to private dispute between the parties. If parties compromise the matter, it would not have adverse impact on society essentially the matter relates to payment of money. Both the parties have filed compromise before the trial court but it was rejected on the ground that offences are not compoundable. The informant of the case does not want to pursue the impugned proceedings. There is nothing to indicate that parties have any criminal antecedents. The Opposite Party No. 2 has filed a short counter-affidavit, wherein it has been stated that both the parties have compromised the case and impugned proceedings may be quashed.

9. Considering aforesaid facts of the matter, it would be in the interest of justice that the impugned proceedings be quashed on the basis of compromise between the parties.

10. In view of the aforesaid, entire impugned proceedings, including chargesheet, cognizance / summoning order, of the aforesaid case against applicant, namely, Yogesh Sharma Alias Chotu Vaidyaji is hereby **quashed**.

11. The application u/s 528 B.N.S.S. is **allowed**.

September 26, 2025
Anjali

(Ram Manohar Narayan Mishra,J.)