



2025:AHC:175017

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 37965 of 2025

Waseem Ahmad

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Mukul Yadav, Rajesh Yadav
Counsel for Opposite Party(s)	:	G.A.

Court No. - 78

HON'BLE NAND PRABHA SHUKLA, J.

Heard learned counsel for the applicant, learned AGA for the State and perused the record.

The instant application under Section 482 Cr.P.C. has been filed with a prayer to quash the entire criminal proceeding in Case No. 2693 of 2017 (State Vs. Waseem Ahmad) pending before Additional Chief Judicial Magistrate, First, Rampur, arising out of the charge sheet dated 30.05.2017 including the cognizance order dated 25.07.2017 in NCR No. 38 of 2017, under Sections 323, 504, 506 IPC, P.S. Swar, District Rampur and stay the further proceeding in the aforesaid Case Number.

At the very outset, learned counsel for the applicant submits that the applicant and opposite party no. 2 are son and the father and have settled their disputes vide compromise dated 11.12.2021 placed as annexure- 5 to the affidavit wherein it has been mentioned that opposite party no. 2 does not want to press the case. Therefore, no useful purpose would be served in continuing the proceedings before the Court concerned and the same is not only sheer wastage of time of the Court but also abuse of process of law.

Learned A.G.A., however, submits that it is the trial Court, which has to verify the fact as to whether the parties have entered into compromise, hence the applicants may approach the concerned court and move an application with respect to compromise between the parties, which will be decided in accordance with law.

In view of above, without expressing any opinion on the merit of the case, both the parties are directed to appear before the trial court along with compromise deed as well certified copy of this order within three weeks from today. It is expected that Court concerned may fix a date for the verification of the compromise and after ensuring the presence of the parties, pass an appropriate order with respect to the same in accordance with law, as expeditiously as possible, after giving opportunity of hearing to both the parties, preferably within a period of three months from the date of production of a certified copy of this order, if there is no other legal impediment. While passing the order verifying the compromise, the Court concerned shall also record the statements of the parties as to whether all the terms and conditions mentioned in the original compromise deed, so filed, have been fulfilled or not.

The court in that scenario will allow the parties to obtain certified copy of the report as well as compromise and it will be open to the applicants to approach this Court again for quashing of the proceedings.

Till verification of compromise between the parties by the court concerned, no coercive action shall be taken against the applicants in the aforesaid case.

With the aforesaid directions, this application is finally **disposed of**.

(Nand Prabha Shukla,J.)

September 26, 2025

Nisha