



2025:AHC:174784

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 38012 of 2025

Vanarasi Lal And 3 Others

.....Applicant(s)

Versus

State Of U.P. 2 Others

.....Opposite
Party(s)

Counsel for Applicant(s) : Birendra Kumar Mishra, Byas Kumar Prasad
Counsel for Opposite Party(s) : G.A.

Court No. - 78

HON'BLE NAND PRABHA SHUKLA, J.

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

The present application under Section 528 B.N.S.S. has been filed with a prayer to allow this application and quash the impugned summoning order dated 11.06.2025, passed in Case No.14674 of 2025, (State Vs. Vanarasi Lal and others), as well as entire proceedings of Case No.14674 of 2025, (State Vs. Vanarasi Lal and others) arising out of submission of charge sheet dated 27.12.2024 in Case Crime No. 0383 of 2024, under Sections 110, 115(2), 333, 352, 351 (2), 351 (3) and 118 (1) of the Bharatiya Nyaya Sanhita, 2023, Police Station Malpura, District Agra, pending in the Court of Additional Chief Judicial Magistrate, Court No.2, Agra on the basis of compromise dated 10.09.2025.

At the very outset, learned counsel for the applicants submits that the parties have settled their disputes through compromise dated 10.09.2025, which has been placed as Annexure No. "8" to the application and the original compromise deed shall be placed before the court concerned for its verification. 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 merits of the case, the applicant nos. 1 to 4 and opposite party nos. 2 and 3 are directed to appear in person before the Trial Court along with original compromise deed as well as 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 disposed of.

(Nand Prabha Shukla,J.)

September 26, 2025

Puspendra