



2025:JHC-1 K03:2964H

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

APPLICATION U/S 528 BNSS No. - 2169 of 2025

Sagar Sharma And Another

.....Applicant(s)

Versus

State Of U.P. Thru. Addl. Chief Scy. Deptt. Of Home
Lko. And 2 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Shiv Sharan Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 29

HON'BLE DIVESH CHANDRA SAMANT, J.

1. Heard learned counsel for the applicants and learned A.G.A. for the State.
2. Vakalatnama filed by Sri D.P. Dutt Tiwari, Advocate on behalf of opposite party Nos.2 and 3 is taken on record.
3. The present application has been filed with the following prayers :-

"(i) to quash the summoning order dated 27.03.2025, issued by the Special Chief Judicial Magistrate, (Custom) District Lucknow contained as Annexure No. 1;

(ii) to quash the Charge Sheet, relating to Case Crime No. 0420/2024, Under Section 498-A, 323, 504, 506 IPC and 3/4 D.P. Act, P.S.-Gazipur, District-Lucknow, filed before the Special Chief Judicial Magistrate, (Custom) District Lucknow, contained as Annexure No. 3;

(iii) to quash the proceeding arises out of Criminal Case No. 33337 of 2025, State Vs. Sagar Sharma and Another, in Case Crime No. 0420/2024, Under Section 498-A, 323, 504, 506 IPC and 3/4 D.P. Act, P.S.-Gazipur, District-Lucknow, pending before the Special. Chief Judicial Magistrate, (Custom) District Lucknow;

(iv) to issue any other order which this Hon'ble Court deems fit

and proper in the facts and circumstances of the case;

(v) to allow this application with exemplary costs."

4. Learned counsel for the applicants submits that now parties have entered into compromise, therefore, this Court may please to quash the proceeding for which learned counsel for the opposite party nos.2 and 3 has no objection.

5. Whether the parties have, in fact, compromised the matter or not, can best be ascertained by the Court below as such compromise has to be duly verified in presence of the parties concerned before the Court.

6. Since the parties are settling the issues by way of compromise and it is undisputed between the parties that all the alleged offences are compoundable, therefore, it would be just and proper to dispose of the matter by way of compounding the case.

7. Accordingly, this application is **disposed of** with a direction to the Court concerned that if any such compromise is filed before it within two weeks, it shall issue notices to all the signatories to the compromise requiring their personal presence and, thereafter, proceed to verify the compromise within two weeks. The Court is further directed to proceed for the compounding of the offences and decide the matter accordingly, if the alleged offences are compoundable.

8. It is also made clear that, if any impediment is there in deciding the case by way of compounding the parties are at liberty to file application/petition before this Court annexing therein the verification report of the said compromise.

9. Till the disposal of the aforesaid case, the proceedings of the aforesaid case shall remain **stayed**.

10. Office is directed to return the original compromise deed to the learned counsel for the applicants, if any, after taking the photocopy of the same.

December 16, 2025

I.A. Siddiqui

(Divesh Chandra Samant,J.)