



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION No. - 2628 of 2025

Mayank Saxena

.....Revisionist(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Revisionist(s) : Santosh Kumar Yadav
Counsel for Opposite Party(s) : G.A., Pushpendra Kumar,
Ramdhan

Court No. - 85

HON'BLE MADAN PAL SINGH, J.

1. Heard Sri Santosh Kumar Yadav, learned counsel for the revisionist, Sri Pushpendra Kumar, learned counsel for the opposite party no. 2 and learned AGA for the State. The applications under Section 528 BNSS bearing Nos. 28998/25 and 29048 of 2025 are delinked with the instant revision.
2. Perused the entire material available on record.
3. The instant criminal revision has been preferred against the judgment and order dated 07-04-2025 passed by learned Principal Judge, Family Court, Aligarh in Criminal Misc. Case No. 1963 of 2023 under Section 125 Cr.P.C. whereby the learned trial court directed the revisionist to pay Rs.15,000/- per month to the opposite party no.2 from the date of application.
4. Since the revisionist and opposite party no. 2 are husband and wife respectively and the dispute between them was matrimonial in nature, the matter was referred to the High Court Mediation and Conciliation Centre, Allahabad by a Coordinate Bench of this Court vide order dated 26-05-2025.
5. Today on the matter being taken up, learned counsel for the revisionist and the learned counsel for opposite party no.2 submit that pursuant to the order dated 26-05-2025, both the parties

appeared before the High Court Mediation and Conciliation Centre, Allahabad and both the parties have entered into settlement agreement before the Mediation Centre on 11-11-2025. The certified copy of the final agreement settlement dated 11-11-2025 has also been brought on record along with the order-sheet of the present criminal revision.

6. For ready reference, the relevant paragraph no.7 of the final settlement agreement is quoted as under:

" (a) That the parties agreed to live separately and mutually settled to dissolve their marriage by filing a divorce petition under Section 13-B of the Hindu Marriage Act before the Family Court, Aligarh, which was registered as Marriage Petition No. 1932 of 2025, and they shall produce a certified copy of the aforesaid divorce petition before the Hon'ble High Court at the time of hearing.

(b) That it has been agreed between the parties that the revisionist-husband shall pay an amount of Rs. 14,00,000/- (Rupees Fourteen Lakh only) to Smt. Sweta Saxena (O.P. No. 2 – Wife) towards permanent alimony, including stridhan, maintenance and her other financial claims. The said amount shall be paid by way of demand draft drawn in her favour. After receiving this amount, she shall not stake any other claim of any nature whatsoever, claiming any further assistance/maintenance from the husband, and she also undertakes that she shall not stake any claim in the property of the husband or his family members.

(c) That on 07.10.2025, the revisionist-husband had produced a demand draft bearing No. 854194 dated 04.10.2025 for Rs. 4,50,000/- (Rupees Four Lakh Fifty Thousand only), drawn on State Bank of India, issued in favour of Kumari Sweta Saxena (O.P. No. 2 – Wife), which was kept on record and the same has been handed over to the wife on 11.11.2025, and she has acknowledged the receipt of the same.

(d) That today, i.e., 11.11.2025, the revisionist-husband has handed over another demand draft bearing No. 426219 dated 10.11.2025 for Rs. 4,50,000/- (Rupees Four Lakh Fifty Thousand only), drawn on State Bank of India in favour of Kumari Sweta Saxena (O.P. No. 2 – Wife),

and she has acknowledged the receipt of the same.

(e) That it has been agreed between the parties that the remaining amount of Rs. 5,00,000/- (Rupees Five Lakh only) shall be paid by Mayank Saxena (Revisionist-Husband) to Smt. Sweta Saxena (O.P. No. 2 – Wife) at the time of final judgment in the divorce petition pending in the Court of Principal Judge, Family Court, Aligarh, by way of demand draft.

(f) That both the parties agree that they have no further claims or liabilities against each other and undertake not to contest any litigation in any manner whatsoever related to the Criminal Misc. under Section 125 Cr.P.C., Police Station – Quarsi, District – Aligarh, hence Criminal Revision No. 2628 of 2025.

(g) That both the parties agree that after entering into the instant settlement agreement, the parties hereinafter have no dispute with each other and shall not file any other litigation in any forum whatsoever related to the present dispute.

(h) That it has also been agreed between the parties that all civil and criminal cases filed by them against each other or their family members regarding the present matrimonial dispute shall be withdrawn by the parties concerned by taking appropriate steps before the Court/authority concerned."

7. In view of the above Settlement Agreement, learned counsel for the revisionist with reference to the statement of both the parties recorded in settlement agreement that by signing this Agreement the Parties hereto state that they have no further claim against each other with respect to the present criminal revision bearing Criminal Revision No.2628 of 2025 and all disputes and differences in this regard have been amicably settled by the Parties hereto through the process of Conciliation/Mediation, the entire proceedings of the aforesaid criminal case be may be quashed by this Court.

8. Learned counsel for opposite party no.2 could not dispute the

above submission made by the learned counsel for the revisionist. On instructions received from opposite party no.2, he submits that in case entire proceedings initiated by opposite party no.2 are quashed, she will have no objection.

9. This Court is not unmindful of the following judgements of the Apex Court:

1. B.S. Joshi and others Vs. State of Haryana and Another; (2003)4 SCC 675,

2. Nikhil Merchant Vs. Central Bureau of Investigation; (2008) 9 SCC 677,

3. Manoj Sharma Vs. State and Others; (2008) 16 SCC 1,

4. Gian Singh Vs. State of Punjab; (2012); 10 SCC 303,

5. Narindra Singh and others Vs. State of Punjab; (2014) 6 SCC 466,
and

6. Ramgopal & Anr. Vs. State of Madhya Pradesh; 2021 Legal Eagle (SC) 569.

10. In the aforesaid judgments, the Apex Court has categorically held that compromise can be made between the parties even in respect of certain cognizable and non compoundable offences.

11. Considering the facts and circumstances of the case, as noted herein above, and also the submissions made by the counsel for the parties, the court is of the considered opinion that no useful purpose shall be served by prolonging the proceedings of the above mentioned criminal case as the parties have already settled their dispute.

12. Accordingly, the impugned judgment and order dated 07-04-2025 passed by learned Principal Judge, Family Court, Aligarh in Criminal Misc. Case No. 1963 of 2023(Smt. Sweta Saxena Vs. Mayank Saxena) under Section 125 Cr.P.C . is, hereby, quashed.

- 13. This criminal revision is, accordingly, **allowed.**
- 14. There shall be no order as to cost.

March 18, 2026
pks

(Madan Pal Singh,J.)