2026:AHC:184572

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 22779 of 2026

Mohit And 2 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Pawan Kumar Tiwari
Counsel for Opposite Party(s)	:	G.A., Pramod Shukla

Court No. - 83

HON'BLE CHAWAN PRAKASH, J.

1. Heard Mr. Pawan Kumar Tiwari, learned Counsel for the applicants, Mr. Pramod Shukla, learned Counsel for opposite party no.2 and learned AGA for the State and perused the records.

2. The present application under Section 528 BNSS has been filed by the applicants with the following prayer:

"It is, therefore, Most Respectfully prayed that this Hon'ble Court may graciously be pleased to quash the entire proceeding of Case No. 37979 of 2025 Computer Case No. 7266 of 2025 (State Vs Mohit and others) impugned chargesheet dated 18.05.2025 as well as cognizance order dated 02.06.2025 arising out of Case Crime No. 375 of 2025 under section 85, 115(2), 351(2), 352 B.N.S.S. (Corresponding Sections 498A, 323, 504, 506 IPC) and 3/4 D. P. Act, Police Station Majhola, District Moradabad, pending in the court of Additional Chief Judicial Magistrate Court No- 4, Moradabad, on the basis of compromise dated 04.05.2026 reached between the parties in the matter, in the interest of justice so justice may be done."

3. Learned Counsel for the applicants has submitted that the applicants and opposite party no.2 have compromised the dispute. It is further argued that the said compromise has also been verified by the concerned Trial Court, as such the proceedings against the applicants may be quashed.

4. Learned counsel for opposite party no.2 admitted the fact of

compromise and stated that he has no objection if the proceeding of the aforesaid case is quashed against the applicants.

5. From the perusal of the record it is apparent that parties have entered into compromise and have settled their dispute amicably.

6. The law with regards to quashing of a case on the basis of settlement arrived between the parties, is well settled. The Apex Court in the cases of **(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) Shaifullah and others Vs. State of U.P. And another: 2013 (83) ACC 278 and (6) Parbatbhai Ahir@Parbatbhai @ Bhimsinbhai Karmur and others Vs. State of Gujarat and another: (2017) 9 SCC 641** has held that the cases in which the parties have settled their grievances can be quashed.

7. From perusal of the records and the law laid down by the Apex Court on the subject matter, the present case is a good case for exercising powers by this Court to quash the proceedings as prayed for by the applicants.

8. The entire proceedings of the aforesaid case with regard to the present applicants are hereby **quashed**.

9. The present application is **allowed**.

(Chawan Prakash,J.)

September 3, 2026
Vijay

Digitally signed by :-
VIJAY KUMAR SAHU
High Court of Judicature at Allahabad