2026:AHC:186736

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 36163 of 2026

Vijay Kumar Sharma And 3 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Sandeep Kumar Chaturvedi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 83

HON'BLE CHAWAN PRAKASH, J.

1. Heard Sri Sandeep Kumar Chaturvedi, learned counsel for the applicants, learned A.G.A. for the State and perused the record.

2. The present application under Section 528 B.N.S.S. has been filed by the applicants with a prayer to quash the entire proceedings of Case no. 45358 of 2022 (State versus Vijay Kumar Sharma & others), arising out of Case Crime no. 95/2022, under Section 498-A, 323, 504, 506 I.P.C. & 3/4 D.P. Act, Police Station Tiwaripur, District Gorakhpur, pending in the court of learned Additional Chief Judicial Magistrate-II, Gorakhpur.

3. Learned counsel for the applicants submits that the applicants and opposite party no. 2 have entered into a compromise and they have amicably settled their dispute outside the court and no dispute is pending between them, therefore, do not want to get adjudication of alleged criminal act and prayed that the aforesaid criminal case may be quashed. He further submits that the applicant shall file compromise deed before the learned trial court for verification.

4. Learned A.G.A. for the State does not dispute the correctness of the submission made by learned counsel for the applicants or the correctness of the documents relied upon by him. He submits that he has no objection, if the parties approach trial court to file compromise deed in the given circumstances.

5. Whether the parties have entered into compromise, can best be

adjudicated by the trial court. As such, the parties may appear before the trial court and file the compromise deed entered into between the parties within 30 days, which shall be verified by the trial court. The trial court shall place the original compromise deed in its record.

6. No compromise shall be entertained by the trial court if the informant/victim and accused are not signatories and appear before the court of its verification. In case of exigency, the trial court shall apply its mind and pass appropriate order.

7. For a period of two months, the proceedings of the trial court shall be kept in abeyance, if the compromise is filed and verified within stipulated period, otherwise, the trial court shall continue with the trial in accordance with law.

8. All the parties, who files compromise deed and get it verified shall then file a joint application invoking inherent power of this Court to quash the criminal proceeding.

9. In view of above, the application under Section 528 B.N.S.S. is accordingly **disposed of**.

(Chawan Prakash,J.)

September 8, 2026
Md Faisal

Digitally signed by :-
MOHD FAISAL
High Court of Judicature at Allahabad