2026:AHC:231930

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 1356 of 2008

Sushil And Another

.....Appellant(s)

Versus

State of U.P.

.....Respondent(s)

Counsel for Appellant(s)	:	Satish Kumar Tyagi
Counsel for Respondent(s)	:	Anoop Bhaiya Lal Shukla, Govt. Advocate

Court No. - 90

HON'BLE MRS. VANI RANJAN AGRAWAL, J.

Heard learned counsel for the appellants, learned A.G.A. for the State and learned counsel for the informant/complainant.

The present appeal has been preferred against the judgment and order dated 28.02.2008 passed by the learned Additional Sessions Judge/Fast Track Court No. 3, Ghaziabad, in Sessions Trial No. 405 of 2006, arising out of Case Crime No. 131 of 2005, under Sections 308 and 504 of the Indian Penal Code, Police Station Niwari, District Ghaziabad, whereby the appellants were convicted and sentenced.

It has been submitted by learned counsel for the parties that, during the pendency of the present appeal, the appellants and the injured have entered into a compromise, particularly in view of the fact that the informant/complainant has since passed away. The compromise deed submitted by the parties was referred to the learned trial court for verification vide order dated 09.09.2026. In compliance thereof, the parties appeared before the learned trial court, where the compromise was duly verified, and the verification report has been placed on record.

As per the reports submitted by the learned Chief Judicial Magistrate dated 01.10.2026 and 16.10.2026, the appellants and the injured have entered into the compromise voluntarily. They have categorically stated that the compromise was arrived at of their own free will, without any coercion, pressure or undue influence.

Having regard to the nature of the offence and the terms of settlement arrived at between the parties, this Court is satisfied that the compromise is

genuine, voluntary and bona fide. In the facts and circumstances of the case, no useful purpose would be served by continuing the proceedings between the parties.

In view of the foregoing, the compromise deed dated 29.09.2026 is hereby accepted. Consequently, the present criminal appeal stands allowed in terms of the compromise. The judgment of conviction and order of sentence dated 28.02.2008 passed by the learned trial court are hereby set aside, and the appellants are acquitted of the charges levelled against them. Their personal bonds stand cancelled, and the sureties are discharged from their respective liabilities.

Let a copy of this order be transmitted to the learned trial court for information and necessary compliance.

November 6, 2026
Pravesh Mishra

(Mrs. Vani Ranjan Agrawal,J.)

Digitally signed by :-
PRAVESH KUMAR MISHRA
High Court of Judicature at Allahabad