2026:AHC:210412

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 482 No. - 8267 of 2020

Swati Pandey And Another

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Gaurav Gupta, Suneel Kumar Mishra
Counsel for Opposite Party(s)	:	G.A.

Court No. - 80

HON'BLE CHAWAN PRAKASH, J.

1. Heard Mr. Gaurav Gupta, learned Counsel for the applicants, learned counsel for the opposite party No. 2, and learned AGA for the State and perused the records.

2. The present application under Section 482 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 allow this application and quash the entire proceeding as well as Summoning order dated 23.07.2019 passed by Civil Judge (J.D.)/ Judicial Magistrate, Tilhar, Shahjahanpur, in Complaint Case No. 627 of 2019 (Chandan Mishra Vs. Swati Pandey and others), under section 406, 504 of I.P.C., Police Station Katra, District Shahjahanpur.*
>
> *It is further be pleased to stay the further proceeding of Complaint Case No. 627 of 2019 (Chandan Mishra Vs. Swati Pandey and others), under section 406, Police Station Katra, District 504 of I.P.C., Shahjahanpur, Pending in the court of Civil Judge (J.D.)/Judicial Magistrate, Tilhar, Shahjahanpur, during pendency of this application before this Hon'ble Court, and/or to pass such other and further order or direction as this Hon'ble Court may deem fit and proper under the facts and circumstances of the case.*"

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 are 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. Upon perusal of the records and the law laid down by the Apex Court on the subject, this is a fit case for exercising powers of this Court to quash the proceedings, as prayed for by the applicants.

8. The entire proceedings of the aforesaid case, insofar as the present to the present applicants, are hereby **quashed**.

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

October 7, 2026
Priyanka

(Chawan Prakash,J.)

Digitally signed by :-
PRIYANKA KUSHWAHA
High Court of Judicature at Allahabad