2026:AHC:207450

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 5642 of 2026

Ubaid Ahmad @ Saif And Another

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Mohammad Arshad Khan
Counsel for Opposite Party(s)	:	G.A., Prateek Pandey

Court No. - 80

HON'BLE CHAWAN PRAKASH, J.

1. Heard Mr. Mohammad Arshad Khan, learned Counsel for the applicants, Mr. Meghnath, learned Counsel holding brief of Mr. Prateek Pandey, 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, Most Respectfully prayed that this Hon'ble court may graciously be pleased to allow this application and quash the charge-sheet dated 04.08.2025, cognizance order dated 20.11.2025 as well as entire proceeding of the Case No. 158201 of 2025 (State Vs. Nafees Ahmad and others) arising out of Case Crime No. 201 of 2025 under Sections 85, 115(2), 352, 351 (3) B.N.S., 2023 and 3/4 Dowry Prohibition Act, Police Station Babupurwa, District Kanpur Nagar, pending before the Judicial Magistrate, Court No.10, Kanpur Nagar, on the basis of compromise settled between the parties."

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. 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**.

(Chawan Prakash,J.)

October 5, 2026
Vijay

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