2026:AHC:227020

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 5920 of 2026

Akhilesh Srivastava

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Ayush Kaushik
Counsel for Opposite Party(s)	:	G.A.

Court No. - 80

HON'BLE CHAWAN PRAKASH, J.

1. Heard Sri Ayush Kaushik, learned counsel for applicant and Sri Jyoti Kumar Singh, learned A.G.A. for the State and perused the record.

2. The present application under Section 528 of the B.N.S.S. has been filed by the applicant with a prayer to quash the Charge Sheet No. 01 of 2023 dated 27.08.2023, cognizance/summoning order dated 20.12.2024 and the entire proceedings of Criminal Case No. 17515 of 2023 (State Vs. Akhilesh Srivastava), arising out of Case Crime No. 0565 of 2023, under Sections 498-A, 354, 323, 504, 506 I.P.C. and Section 3/4 Dowry Prohibition Act, 1961, Police Station Loni, District Rural (Commissionerate Ghaziabad), pending in the Court of Additional Chief Judicial Magistrate, Court No. 01, Ghaziabad.

3. Learned counsel for the applicant submitted that applicant and opposite party no.2 have amicably settled their dispute out of the Court. Applicant approached this Court by filing this application with the prayer to quash the proceedings on terms of compromise entered between the parties. By order dated 16.09.2026, this Court directed the parties to appear before the trial court for verification of their identification and the compromise deed. By order dated 28.09.2026, the trial court identified the parties and the compromise deed. He further submitted that applicant and opposite party no.2 have compromised the matter and that opposite party No.2 does not wish to pursue the aforesaid case against the applicant. He also submitted that applicant and opposite party no.2 have settled their dispute through compromise and, therefore, opposite party no.2 does not wish to

pursue the aforesaid case against the applicant. Opposite party no.2 is ready to withdraw the prosecution against the applicant and, in view of the compromise, no fruitful purpose would be served by allowing the prosecution to continue.

4. Learned AGA submitted that both the parties have settled their dispute out of the court, hence, no reason to proceed further.

5. In **Narindra Singh and others Vs. State of Punjab, (2014) 6 SCC 466, Parbatbhai Aahir @ Parbatbhai Vs. State of Gujarat (2017) 9 SCC, 641, Gian Singh Vs. State of Punjab (2012) 10 SCC 303 and State of M.P. Vs. Laxmi Narayanan (2019) 5 SCC 688**, the Hon'ble Supreme Court has categorically held that the parties may enter into compromise even in respect of certain cognizable and non-compoundable offences. Reference may also be made to the decision given by this Court in **Shaifullah and others Vs. State of U.P. and another [2013 (83) ACC 278]**, in which, the law expounded by the Hon'ble Apex Court in the aforesaid cases has been explained in detail.

6. Considering the facts and circumstances of the case, as noted above, and the submissions made by learned counsel for the parties, this Court is of the considered opinion that no useful purpose would be served by prolonging the proceedings of the above mentioned case.

7. Accordingly, the proceedings of aforesaid case are hereby quashed insofar as present applicant are concerned.

8. This application under Section 528 of the B.N.S.S. is accordingly **allowed.**

(Chawan Prakash,J.)

November 2, 2026
Rmk.

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