2026:AHC:209789

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 12983 of 2025

Prem Arya And Another

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Ashish Kumar Gupta
Counsel for Opposite Party(s)	:	G.A., Vijay Kumar Dubey

Court No. - 80

HON'BLE CHAWAN PRAKASH, J.

1. Heard Mr. Ashish Kumar Gupta, learned Counsel for the applicants, Mr. Deepak Kumar Pal, learned Counsel holding brief of Mr. Vijay Kumar Dubey, learned Counsel for opposite party no.2 and learned A.G.A.for the State. The supplementary affidavit, filed today in Court, is taken on record.

2. The present application has been filed under Section 528 BNSS 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 criminal proceeding arising out of charge sheet dated 12.08.2021 as well as cognizance/summoning order dated 05.01.2022 passed/issued by Civil Judge (J.D.) F.T.C.-Ist, Ghaziabad in Case No. 16 of 2022 arising out of Case Crime No. 152 of 2020 (State Vs. Prem Arya and others), under section 498A, 323, 504, 506 I.P.C. and section 3/4 D.P. Act, Police Station-Mahila Thana, District-Ghaziabad, pending in the court of Civil Judge (J.D.) F.T.C.-1st, Ghaziabad, against the applicants.*"

3. Learned Counsel for applicants submits that the applicants are innocent and have been falsely implicated in this case. Learned counsel for the applicants further submits that parties have amicably resolved their personal dispute, therefore, opposite party no.2 does not want to get adjudication of alleged criminal act and prayed that the aforesaid criminal case may be quashed in pursuance to compromise.

4. Learned A.G.A. for the State submits no objection if the parties approach

Trial Court to file compromise 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 concerned and file the compromise entered into between the parties **within 30 days,** which shall be verified by the Trial Court.

6. No compromise shall be entertained by the Trial Court if the informant/victim/injured 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.

8. All the parties, who files compromise 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.)

October 7, 2026
Vijay

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