2026:AHC:210422

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 12834 of 2025

Smt. Avantika Verma And 8 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Atish Kumar Yadav, Dinesh Chandra Srivastava, Rajesh Sharma
Counsel for Opposite Party(s)	:	Anand Swaroop Dubey, Anil Kumar, G.A., Km. Anjana, Piyush

Court No. - 72

HON'BLE DEEPAK VERMA, J.

1. Heard learned counsel for the applicants, learned counsel for opposite party no.2 and learned A.G.A. for the State.

2. The present 528 BNSS application has been filed to quash the impugned summoning order dated 22.10.2024 passed by learned Additional Chief Judicial Magistrate, Court No.03, Agra, in Complaint Case No. 26849 of 2023 (Smt. Kajal Vs. Smt. Avantika Verma and others) Under Section-406 & 506 I.P.C., Police Station-Hari Parvat, District- Agra.

3. Present application was filed to quash the proceeding and this Court vide order dated 15.05.2025, stayed the proceeding during pendency of the present application. Parties amicably resolved their dispute and entered into compromise. Learned counsel for the applicants submitted that applicants and opposite party no.2 have amicably settled their dispute out of the Court. Parties filed compromise application entered between the parties, the Hon'ble Court vide order dated 18.05.2026 sent the matter to trial court for verification of the parties and compromise application. Trial court vide order dated 15.09.2026 identified and verified the parties through their counsels as well as compromise application, the verification report dated 15.09.2026 has been forwarded through letter dated 15.09.2026. He further submitted that applicants and opposite party no.2 compromised the matter and opposite party No.2 does not want to proceed the matter against the applicants. He further submitted that applicants and opposite party no.2 have settled through compromise their private and civil dispute and as such opposite party no.2 does not wish to press the aforesaid case against the applicants. Opposite party no.2 is ready to withdraw the prosecution of the applicants and in view of the compromise, no fruitful purpose would be served if the prosecution is allowed to go on.

4. Learned counsel appearing for the opposite party no.2 does not dispute the correctness of the submission made by learned counsel for the applicants or the correctness of the documents relied upon by him. He submits that opposite party no. 2 has no objection, if the proceedings in the aforesaid case are quashed.

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

6. The Hon'ble Apex Court in the case of **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, wherein Hon'ble Apex Court has categorically held that compromise can be made between the parties 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, law expounded by the Hon'ble Apex Court in the aforesaid cases has been explained in detail.

7. Considering the facts and circumstances of the case, as noted herein above, and also 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.

8. Accordingly, the impugned summoning order dated 22.10.2024 passed by learned Additional Chief Judicial Magistrate, Court No.03, Agra, in Complaint Case No. 26849 of 2023 (Smt. Kajal Vs. Smt. Avantika Verma and others) Under Section-406 & 506 I.P.C., Police Station-Hari Parvat, District- Agra, is hereby **quashed**.

9. This application under Section 528 BNSS is accordingly **allowed**.

(Deepak Verma,J.)

October 7, 2026
Nitin Verma

Digitally signed by :-
NITIN KUMAR VERMA
High Court of Judicature at Allahabad