2026:AHC:209152

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 21787 of 2026

Kapil Sharma And 2 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Ajay Kumar
Counsel for Opposite Party(s)	:	Ashok Kumar Garg, G.A.

Court No. - 81

HON'BLE PRASHANT MISHRA-I, J.

1. Sri Ajay Kumar, learned counsel for the applicants, Sri Dinesh Kumar Bhaskar, learned Advocate holding brief of Sri Ashok Kumar Garg, learned counsel for the Opposite Party No. 2 and learned A.G.A. for the State are present.

2. The present 528 BNSS application has been filed to quash the summoning order dated 07.05.2023 passed by the learned Judicial Magistrate/Additional Civil Judge (J.D.) Court No. 06, Agra as well as entire proceeding of Complaint Case No.10797 of 2022 (Smt. Seema Sharma Vs. Kapil Sharma & Others) under Sections 498-A, 323 I.P.C. and Section 3/4 D.P. Act, Police Station New Agra, District Agra, pending in the court of learned Additional Chief Judicial Magistrate VI, Agra on the basis of compromise deed dated 25.11.2025.

3. Learned counsel for the parties jointly drew the attention of this Court to the order dated

05.08.2026 by which the learned trial court was directed to verify the compromise filed by the parties. In compliance of the order dated 26.05.2026, the learned Trial court has sent its report dated 11.09.2026 stating the the compromise between the parties has been verified, a copy of the said compromise deed is also annexed along with the verification report. Learned counsel for the parties submit that the applicants and opposite party no.2 have settled their dispute through compromise 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 A.G.A. also concedes to the averments of the learned counsel for the parties and submits that both the parties have settled their dispute out of the court, hence there is no reason to

proceed further.

5. 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, **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

6. 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

7. Accordingly, the summoning order dated 07.05.2023 passed by the learned Judicial Magistrate/Additional Civil Judge (J.D.) Court No. 06, Agra as well as entire proceedings of Complaint Case No.10797 of 2022 (Smt. Seema Sharma Vs. Kapil Sharma & Others) under Sections 498-A, 323 I.P.C. and Section 3/4 D.P. Act, Police Station- New Agra, District- Agra, pending in the court of learned Additional Chief Judicial Magistrate VI, Agra, are hereby quashed

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

(Prashant Mishra-I,J.)

October 6, 2026
Saurabh

Digitally signed by :-
SAURABH
High Court of Judicature at Allahabad