2026:AHC:208594

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 7253 of 2026

Potan @ Brajesh Kumar Shukla

.....Appellant(s)

Versus

State of U.P. and Another

.....Respondent(s)

Counsel for Appellant(s)	:	Rajesh Dwivedi
Counsel for Respondent(s)	:	G.A., Satyam Pandey

Court No. - 91

HON'BLE SANTOSH RAI, J.

1. Heard learned counsel for the appellant, learned counsel for opposite party no.2 and learned AGA for the State.

2. The present appeal has been filed by the appellant challenging the cognizance/summoning order dated 6.1.2022 passed by Additional District & Sessions Judge/Special Judge (SC/ST Act), Kanpur Dehat in Special Session Trial No.205 of 2017 (Smt. Malti Devi vs. Potan & Ors.), under Sections 323, 504, 506 IPC and Section 3(1)(s) of SC/ST Act, P.S.-Moosanagar, District Kanpur Dehat.

3. The only prayer is for quashing the cognizance/summoning order. It is contended that as the parties have arrived at a compromise and settled the matter amicably, therefore, proceedings with the case is nothing but futile.

4. This Court by its order dated 31.7.2026 directed the court concerned to verify the compromise. In compliance of the order dated 31.7.2026, copy of the verified compromise dated 21.5.2026 has been transmitted to this Court.

5. Learned counsel for opposite party no.2 submit that he has no objection in case the cognizance/summoning order is set aside in the light of the compromise/settlement between the parties. He further submits that no compensation was provided to opposite party no.2 from the State under the SC/ST Act and Rules.

6. It is admitted and contended by the respondents that essentially the

dispute is private in nature further that in case proceeding is quashed, the interest of society is not likely to be affected.

7. Learned counsel for the appellants has placed reliance on the judgments of the Apex Court in the case of **Romgopal and others Vs. State of Madhya Pradesh, 2022 (1) SCJ 536, Gian Singh Vs. State of Punjab [2012 10 SCC 303], Mohd. Ibrahim Vs. State of U.P., 2022 SCC Online ALL 106, Gold Quest International Ltd. Vs. State of Tamilnadu, 2014 (15) SCC 235, B.S. Joshi Vs. State of Haryana, 2003 (4) SCC 675, Jitendra Raghuvanshi Vs. Babita Raghuvanshi, 2013(4) SCC 58, Madhavarao Jiwajirao Scindia Vs. Sambhajirao Chandrojirao Angre, 1988 1 SCC 692, Nikhil Merchant Vs. C.B.I. and another, 2008(9) SCC 677, Manoj Sharma Vs. State and others, 2008(16) SCC 1, State of M.P. Vs. Laxmi Narayan and others, 2019(5) SCC 688, Narindra Singh and others Vs. State of Punjab and another, (2014) 6 SCC 466, Manoj Kumar and others Vs. State of U.P and others (2008) 8 SCC 781, Union Carbide Corporation and others Vs. Union of India and others (1991) 4 SCC 584, Manohar Lal Sharma Vs. Principal Secretary and others (2014) 2 SCC 532 and Supreme Court Bar Association Vs. Union of India (1998) 4 SCC 409**.

8. Learned AGA could not dispute the fact that the compromise has been entered into between the parties and now the opposite party no.2 does not want to proceed with the proceedings in issue.

9. Since both the parties to the dispute have arrived at a compromise and no compensation was provided to opposite party no.2 from the State under the SC/ST Act and Rules as duly verified by the letter of District Social Welfare Officer, Kanpur Dehat dated 9.9.2026 which is annexed as annexure no.1 to the compliance affidavit filed by learned AGA, in such a situation, the Court has inherent jurisdiction to pass a suitable order as may be necessary the larger interest of the parties.

10. Considering the submissions advanced by learned counsel for the parties and the nature of dispute/crime, this Court is of the view that no purpose would be served in keeping the proceedings pending before the trial court and hence, the entire proceedings in Special Session Trial

No.205 of 2017 (Smt. Malti Devi vs. Potan & Ors.), under Sections 323, 504, 506 IPC and Section 3(1)(s) of SC/ST Act, P.S.- Moosanagar, District Kanpur Dehat are hereby quashed in terms of the compromise.

11. Accordingly, the present appeal is **allowed**.

12. Registrar (Compliance) is directed to communicate the instant order to the court concerned through District and Sessions Judge, Kanpur Dehat by e-mail/FAX within a week.

(Santosh Rai,J.)

October 6, 2026
RA

Digitally signed by :-
RAZIQ ALI
High Court of Judicature at Allahabad