HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 31281 of 2026

Md. Akaram Siddique And 2 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Sakshi Jaiswal, Vimal Kumar Pandey
Counsel for Opposite Party(s)	:	Amit Kumar Yadav, G.A., Shubham Shukla

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Court No. - 81

HON'BLE PRASHANT MISHRA-I, J.

1. Sri Bachan Singh, learned Advocate holding brief of Sri Vimal Kumar Pandey, learned counsel for the applicants, Sri Shubham Shukla, learned counsel for the Opposite Party No. 2 and learned A.G.A. for the State are present.

2. The instant application under Section 528 BNSS has been filed with a prayer to quash the entire proceedings in pursuance of summoning order dated 13.07.2022 passed by learned court of Additional Civil Judge (Senior Division) II /Additional Chief Judicial Magistrate, Gorakhpur in Complaint Case No. 6456 of 2022, under Sections 498A, 323 IPC and 3/4 Dowry Prohibition Act, Police Station Jhangha, District Gorakhpur issued against the applicants pending in the court of Additional Civil Judge (Senior Division) II /Additional Chief Judicial Magistrate, Gorakhpur.

3. Learned counsel for the parties jointly drew the attention of this Court to the order dated 21.08.2026 by which the learned trial court was directed to verify the compromise filed by the parties. In compliance of the order dated 21.08.2026, the learned Trial court has sent its report dated 19.09.2026 stating 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 13.07.2022, as mentioned above, passed by the trial court as well as entire proceedings of Complaint Case No. 6456 of 2022, under Sections 498A, 323 IPC and 3/4 Dowry Prohibition Act, Police Station Jhangha, District Gorakhpur, pending before learned Additional Civil Judge (Senior Division) II /Additional Chief Judicial Magistrate, Gorakhpur, are hereby quashed.

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

(Prashant Mishra-I,J.)

October 23, 2026
Nisha

Digitally signed by :-
nisha kumari
High Court of Judicature at Allahabad