2026:AHC:207440

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 31898 of 2025

Triloki Prasad Keshari

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	P.K. Upadhyay, Vikram Yadav
Counsel for Opposite Party(s)	:	G.A., Om Prakash Vishwakarma

Court No. - 80

HON'BLE CHAWAN PRAKASH, J.

1. Heard Mr. Vikram Yadav, learned Counsel for the applicant, Mr. Om Prakash Vishwakarma, learned Counsel for opposite party no.2 and learned AGA for the State and perused the records. The supplementary affidavit, filed today, is taken on record.

2. The present application under Section 528 BNSS has been filed by the applicant 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 charge sheet dated 31.12.2019, cognizance as well summoning order dated 11.11.2020 passed by Judicial Magistrate-III, Varanasi against the applicant and the entire criminal proceeding of Criminal Case No. 19856 of 2020 (State Vs. Jitendra and others) arising out of Case Crime No. 15 of 2019, Under Section 504, 506 I.P.C. and 3/4 Dowry Prohibition Act, 1961, Police Station-Mahila Thana, District-Varanasi, pending in the court of Judicial Magistrate-III, Varanasi."

3. Learned Counsel for the applicant submits that opposite party no.2 lodged an F.I.R. registered as Case Crime No. 15 of 2019, under Sections 498-A, 504. 506, 495 I.P.C. and Section 3/4 D.P. Act, at Police Station Mahila Thana, District Varanasi against the applicant and other accused persons. The applicant herein is father-in-law of opposite party no.2. After the investigation, a charge-sheet was filed and cognizance was taken. He further submits that co-accused Jitendra Kumar (husband of opposite party no.2) filed Application U/S 528 BNSS No. 28684 of 2026. The parties have entered into a compromise and settled the dispute. A Co-ordinate Bench of this Court by order dated 29.04.2026 directed the Trial Court to verify the compromise entered into between parties. The compromise was duly verified

by the Trial Court, a copy of which is annexed at Page No. 9 of the aforesaid supplementary affidavit. He further submits that based on the said compromise report, the entire proceedings against co-accused Jitendra Kumar (husband) have been quashed by order dated 20.07.2026, therefore, this application may also be allowed and the proceedings may be quashed.

4. Learned counsel for opposite party no.2 admitted the fact of compromise and stated that he has no objection if the proceeding of the aforesaid case is quashed against the applicant.

5. From the perusal of the record it is apparent that parties have entered into compromise and have settled their dispute amicably.

6. The law with regards to quashing of a case on the basis of settlement arrived between the parties is well settled. The Apex Court in the cases of **(1) B.S. Joshi and others Vs. State of Haryana and another: (2003)4 SCC 675; (2) Nikhil Merchant Vs. Central Bureau of Investigation : (2008) 9 SCC 677; (3) Manoj Sharma Vs. State and others: (2008) 16 SCC 1; (4) Gian Singh Vs. State of Punjab: (2012) 10 SCC 303; (5) Shaifullah and others Vs. State of U.P. And another: 2013 (83) ACC 278 and (6) Parbatbhai Ahir@Parbatbhai @ Bhimsinbhai Karmur and others Vs. State of Gujarat and another: (2017) 9 SCC 641** has held that the cases in which the parties have settled their grievances can be quashed.

7. Upon perusal of the records and the law laid down by the Apex Court on the subject, this is a fit case for exercising powers of this Court to quash the proceedings, as prayed for by the applicant.

8. The entire proceedings of the aforesaid case, insofar as the present to the present applicant, are hereby **quashed**.

9. The present application is **allowed**.

October 5, 2026
Vijay

(Chawan Prakash,J.)

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