2026:AHC:211132

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 33678 of 2025

Mukesh Chouksey And 6 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Amit Kumar Shukla, Kuldeep Narayan Tiwari
Counsel for Opposite Party(s)	:	Arun Kumar Singh, G.A.

Court No. - 76

HON'BLE SAURABH SRIVASTAVA, J.

1. This matter is being taken up out of turn from the category of cases which have been mentioned in the morning on account of urgency. Heard learned counsel for parties.

2. The instant petition has been preferred with prayer to quash summoning order dated 23.1.2025 as well as entire proceeding of Case no. 1091 of 2024 under sections 498A, 323, 504, 506 IPC and section 3/4 of D.P. Act, PS- Raksa, District Jhansi.

3. Learned counsel for the parties jointly submits that on the request of parties the matter was referred to Mediation and Conciliation Centre of this Court and by the efforts of mediator the mediation has been successful and it has been stipulated by the parties that they will withdraw all the pending cases filed against each other including the case connected with the instant petition and all the disputes have been settled in terms of the agreement.

4. It is also stipulated that the case filed by either parties against each other shall be deemed to have been decided in the light of the present settlement. The parties are not having any further claims or demands against each other and all the disputes and differences in this regard have been amicably settled by the parties.

5. Highlighting the report of the Mediation Centre which has been placed on record and is also appended along with order sheet, it is submitted that proceedings of the instant case pending before the court below should be quashed. It is also admitted by learned counsel for opposite party no.2 that the terms of settlement have been complied by the parties and opposite party no.2 is not having any objection, if on the basis of settlement, case pending before trial court be quashed.

6. Learned AGA would have no objection if dispute between the parties is settled through the course of mediation.

7. Having heard learned counsel for the parties and having perused the record, it is evident that with regard to the above mentioned case pending before learned court concerned in shape of Case no. 1091 of 2024, the instant application was moved by the applicant. However, the matter was referred to Mediation and Conciliation Centre of this Court and the efforts of the mediator has resulted in amicable settlement between the parties. A settlement has been placed before this Court by the Mediation and Conciliation Centre, Allahabad High Court (appended to the order sheet) wherein the terms and conditions of the settlement has been enumerated and it is categorically stated that the parties have settled the dispute and they do not want to prosecute each other and thus the prayer has been made by learned counsel for the applicants as well as opposite party no.2 to quash the proceedings pending before the court below.

8. Since the mediation has been successful and report has been sent along with original settlement executed between the parties, thus in view of the law laid down by the Hon'ble Supreme Court in **Gian Singh Vs. State of Punjab reported in (2012)10 SCC 303**, **Shiji and others Vs. Radhika and others Manu/ SC/1341/2011**, **Manoj Sharma Vs. State of U.P. (2008)16 SCC1**, entire proceedings of above mentioned Case no. 1091 of 2024 under sections 498A, 323, 504, 506 IPC and section 3/4 of D.P. Act, PS- Raksa, District Jhansi, are hereby **quashed and set**

aside only in respect of applicants herein.

9. The settlement report of the Medication and Conciliation Centre shall be part and parcel of this order.

10. Accordingly, the application filed by the applicant under Section 528 BNSS is finally **disposed of.**

October 7, 2026
Shaswat

(Saurabh Srivastava,J.)

Digitally signed by :-
SHASWAT SINGH
High Court of Judicature at Allahabad