2026:AHC:207731

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 33880 of 2025

Abu Hammad And 4 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Dharmaveer Singh, Shivendra Nath Singh
Counsel for Opposite Party(s)	:	Yogendra Kumar Tripathi, G.A.

Court No. - 80

HON'BLE CHAWAN PRAKASH, J.

1. Heard Mr. Suraj Kumar Prajapati, learned Counsel holding brief of Mr. Dharmaveer Singh, learned Counsel for the applicants, Mr. Anil Singh, learned Counsel holding brief of Mr. Yogendra Kumar Tripathi, learned Counsel for opposite party no.2 and learned AGA for the State and perused the records.

2. The present application under Section 528 BNSS has been filed by the applicants with the following prayer:

"It is, therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to allow the application and quash the entire proceeding of Case No. 1180 of 2017 State Vs. Ishteyaque and others, arising out of Case Crime No. 151 of 2017, under sections 498A, 323, 376B, 406 I.P.C. against the Applicant no.1 and under sections 498A, 323, 406 I.P.C. against the Applicant no.2 to 5, Police Station Dakshin Tola, District Mau on the basis of compromise dated 13-08-2025 entered between the parties."

3. Learned Counsel for the applicants has submitted that the applicants and opposite party no.2 have compromised the dispute. It is further argued that the said compromise has also been verified by the concerned Trial Court, as such the proceedings against the applicants 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 applicants.

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 applicants.

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

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

(Chawan Prakash,J.)

October 5, 2026
Vijay

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