HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 35662 of 2026

Rais Ahmad And Another

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite Party(s)

Counsel for Applicant(s) : Balram Singh, Rabindra Bahadur Singh
Counsel for Opposite Party(s) : G.A.

Court No. - 81

HON'BLE PRASHANT MISHRA-I, J.

1. Heard Sri Balram Singh, learned counsel for the applicants and learned A.G.A. for the State.

2. The instant application under Section 528 of BNSS has been filed with a prayer to quash the entire criminal proceedings of complaint as well as summoning order dated 29.06.2024 passed by Special Judge (POCSO Act-Ananay), Rampur in Complaint Case No.7 of 2024, under Sections 354 Kha, 452, 504, 506 I.P.C. & 7/8 Protection of Children from Sexual Offence Act, Police Station- Tanda, District-Rampur (Akil Ahmad Versus Rais Ahmad & others) on the basis of compromise.

3. Learned counsel for the applicants drew the attention of this Court to the order dated 24.09.2026 passed by this Court vide which the learned trial court was directed to verify the compromise filed by the parties. In compliance of the said order, the learned trial court has sent its verification report dated 15.10.2026 by which the compromise was verified in the presence of the parties. He next submits that applicants and opposite party no.2 have settled, through compromise, their dispute and as such opposite party no.2 does not wish to press the aforesaid case against the applicant. Opposite party no.2 is ready to withdraw the prosecution of the applicant 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. 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, 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 entire criminal proceedings of complaint as well as summoning order dated 29.06.2024 passed by Special Judge (POCSO Act-Ananay), Rampur in Complaint Case No.7 of 2024, under Sections 354 Kha, 452, 504, 506 I.P.C. & 7/8 Protection of Children from Sexual Offence Act, Police Station- Tanda, District-Rampur (Akil Ahmad Versus Rais Ahmad & others), are hereby quashed.

8. This application under Section 528 B.N.S.S. is accordingly **allowed**.

(Prashant Mishra-I,J.)

October 29, 2026
Saurabh

Digitally signed by :-
SAURABH
High Court of Judicature at Allahabad