2026:AHC:208045

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 37082 of 2026

Chandra Bhan And 7 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Vijay Tripathi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 76

HON'BLE SAURABH SRIVASTAVA, J.

1. This matter is being taken up in the date fixed category. Heard learned counsel for applicants and learned AGA for State.

2. The present application has been filed to quash the charge-sheet dated 10.10.2024, cognizance/summoning order dated 30.07.2025 and the entire proceedings of Case No.14961 of 2025, arising out of Case Crime No.146 of 2024, under sections 147, 148, 323, 504, 506, 308 IPC, P.S. Kirawali, District- Agra, pending before learned court of Additional Chief Judicial Magistrate 12th, Agra.

3. At the very outset, learned counsel for applicants submitted that compromise has already been preferred and the same has also been verified by learned Additional Chief Judicial Magistrate 8th, Agra on dated 23.09.2026, which has been appended with the records of instant application, this fact has also been ascertained and seconded by learned AGA.

4. The parties have amicably settled their dispute and fact of compromise has been confirmed and admitted by learned AGA and jointly submitted that there would be no harm and error and would be in the interest of justice that the proceedings may be quashed in light of the compromise.

5. A three-Judge Bench of the Supreme Court in **Gian Singh v. State of Punjab & another, (2012) 10 SCC 303**, has observed in para 58 of the said judgment that where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled although the offences are not compoundable, it does so as in its

opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is resorted; securing the ends of justice being the ultimate guiding factor.

6. In the case of **Madhavrao Jiwajirao Scindia v. Sambhajirao Chandraojirao Angre, [(1988) 1 SCC 692]**, Hon'ble the Apex Court has also observed that where matters are also of civil nature i.e. matrimonial, family disputes, etc. the Court may consider "special facts", "special feature" and quash the criminal proceeding to encourage genuine settlement of disputes between the parties.

7. In the case of **H.N. Pandakumar Vs. State of Karnataka [2025 INSC 37]**, Hon'ble the Apex Court has also observed that if the offence is non-compoundable which is having no serious impact on society then there would be no harm and error if the proceedings may be quashed in light of the compromise entered into between the parties.

8. Keeping in mind the position of law and facts, circumstances of the case, the charge-sheet dated 10.10.2024, cognizance/summoning order dated 30.07.2025 and the entire proceedings of Case No.14961 of 2025, arising out of Case Crime No.146 of 2024, under sections 147, 148, 323, 504, 506, 308 IPC, P.S. Kirawali, District- Agra, pending before learned court of Additional Chief Judicial Magistrate 12th, Agra, are hereby **quashed**.

9. Accordingly, the present application stands **allowed**.

10. This order is being passed by this Court after hearing the contesting parties. If at all, informant/opposite party no.2 feels that he/she has been duped or betrayed, then in that event, he/she may file recall application explaining the reasons for filing the said application.

October 5, 2026
Saif

(Saurabh Srivastava,J.)

Digitally signed by :-
SHAIKH SAIF ABDIN
High Court of Judicature at Allahabad