2026:AHC:231178

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 37012 of 2026

Saddan And Another

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Rizwan Ahmad
Counsel for Opposite Party(s)	:	Aradhana Mishra, G.A.

Court No. - 76

HON'BLE SAURABH SRIVASTAVA, J.

1. Heard learned counsel for the parties.

2. The present application has been filed to quash the charge-sheet dated 15.05.2015, cognizance/summoning order dated 04.06.2025 and 21.03.2017 and the entire proceedings of Case No.798 of 2016 (State vs. Shane Alam and others), arising out of Case Crime No.179 of 2015, under Sections 420, 467, 468, 120-B of IPC, P.S. Chandpur, District Bijnor, on the basis of compromise dated 18.08.2026.

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, Court No.3, District Bijnor on dated 18.09.2016, which has been appended with ordersheet to this applicants, this fact has also been ascertained and seconded by learned counsel for opposite parties.

4. The parties have amicably settled their dispute and fact of compromise has been confirmed and admitted by learned counsel for opposite parties 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. Keeping in mind the position of law and facts, circumstances of the case, charge-sheet dated 15.05.2015, cognizance/summoning order dated 04.06.2025 and 21.03.2017 and the entire proceedings of Case No.798 of 2016 (State vs. Shane Alam and others), arising out of Case Crime No.179 of 2015, under Sections 420, 467, 468, 120-B of IPC, P.s. Chandpur, District Bijnor, are hereby **quashed**.

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

9. 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.

November 2, 2026
Ashish/-

(Saurabh Srivastava,J.)

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