2026:AHC:231409

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 38145 of 2026

Aamir And Another

.....Applicant(s)

Versus

State Of U.P. And 2 Others

.....Opposite Party(s)

Counsel for Applicant(s)	:	Tiwari Ajay Kumar
Counsel for Opposite Party(s)	:	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 22.12.2012, cognizance/summoning order dated 06.07.2013 and the entire proceedings of Case No.1966 of 2013 (State Vs. Afjal and others) arising out of Case Crime No.902 of 2012, under sections 452, 324, 325, 323, 504, 506 IPC, P.S. Masoori, District Ghaziabad, pending in the court of learned Additional Chief Judicial Magistrate, Court No.4, Ghaziabad, on the basis of compromised dated 15.07.2026.

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.4, Ghaziabad on dated 21.10.2026, which has been appended with supplementary affidavit preferred on behalf of the 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 22.12.2012, cognizance/summoning order dated 06.07.2013 and the entire proceedings of Case No.1966 of 2013 (State Vs. Afjal and others) arising out of Case Crime No.902 of 2012, under sections 452, 324, 325, 323, 504, 506 IPC, P.S. Masoori, District Ghaziabad, pending in the court of learned Additional Chief Judicial Magistrate, Court No.4, Ghaziabad, 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