2026:AHC:209384

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 41612 of 2026

Asif And 5 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Manoj Kumar
Counsel for Opposite Party(s)	:	G.A.

Court No. - 80

HON'BLE CHAWAN PRAKASH, J.

1. Heard Sri Manish Kumar, Advocate holding brief of Sri Manoj Kumar, learned counsel for applicants and learned AGA for the State.

2. The present application under Section 528 of the B.N.S.S. has been filed by the applicants with a prayer to quash the charge sheet No. 199 of 2024 dated 23.10.2024, cognizance order dated 24.12.2024 passed by Learned Additional Chief Judicial Magistrate Court No. 4, Moradabad and the entire proceeding of the S.C. No. 1650 of 2026, arising out of Case Crime No. 191 of 2024, under sections 85, 64, 127(2), 351(3) B.N.S., Police Station Chhajlet, District Moradabad.

3. Learned counsel for the applicants submitted that applicants and opposite party no.2 have amicably settled their dispute out of the Court. Applicants approached this Court by filing this application with prayer to quash the proceedings on terms of compromise entered between the parties. By order dated 28.7.2026, passed in Application U/S 528 BNSS No.30253 of 2026, this Court directed the parties to appear before the trial court for verification of their identification and the compromise deed. By order dated 14.8.2026, the trial court identified the parties and the compromise deed. He further submitted that applicants and opposite party no.2 have compromised the matter and that opposite party No.2 does not wish to pursue the aforesaid case against the applicants. He also submitted that applicants and opposite party no.2 have settled their dispute through compromise and, therefore, opposite party no.2 does not wish to pursue the aforesaid case against the applicants. Opposite party no.2 is ready to

withdraw the prosecution against the applicants and, in view of the compromise, no fruitful purpose would be served by allowing the prosecution to continue.

4. Learned AGA does not dispute the correctness of the submission made by learned counsel for the applicants or the authenticity of the documents relied upon by him. He submits that he has no objection, if the proceedings in the aforesaid case are quashed.

5. In **Narindra Singh and others Vs. State of Punjab, (2014) 6 SCC 466, Parbatbhai Aahir @ Parbatbhai Vs. State of Gujarat (2017) 9 SCC, 641, Gian Singh Vs. State of Punjab (2012) 10 SCC 303 and State of M.P. Vs. Laxmi Narayanan (2019) 5 SCC 688**, the Hon'ble Supreme Court has categorically held that the parties may enter into compromise 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, the 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 above, and the submissions made by learned counsel for the parties, 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 proceedings of aforesaid case are hereby quashed insofar as present applicants are concerned.

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

(Chawan Prakash,J.)

October 7, 2026
Md Faisal

Digitally signed by :-
MOHD FAISAL
High Court of Judicature at Allahabad