2026:AHC:208263

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 41426 of 2026

Arif

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Mohammad Zakir
Counsel for Opposite Party(s)	:	G.A.

Court No. - 80

HON'BLE CHAWAN PRAKASH, J.

1. Heard learned counsel for the applicant, learned A.G.A. for the State and perused the record.

2. The present application under Section 528 B.N.S.S. has been filed with the prayer to quash the charge sheet dated 20.09.2021 and summoning order dated 24.09.2021 as well as entire proceedings of Case No. 9237 of 2021 (State Versus Arif), arising out of Case Crime No. 167 of 2020, under Sections 498A, 323, 504, 506, 307 LP.C. and 3/4 D.P. Act, Police Station Pahasu, District Bulandshahr, on the basis of compromise.

3. Learned counsel for the applicant submits that the applicant and opposite party no. 2 have entered into a compromise and they have amicably settled their dispute outside the court and no dispute is pending between them, therefore, does not want to get adjudication of alleged criminal act and prayed that the aforesaid criminal case may be quashed. He further submits that the applicant shall file compromise deed before the learned trial court for verification.

4. Learned A.G.A. for the State submits that he has no objection if the parties approach trial court to file compromise deed in the given circumstances.

5. Whether the parties have entered into compromise, can best be adjudicated by the trial court. As such, the parties may appear before the trial court and file the compromise deed entered into between the parties within 30 days, which shall be verified by the trial court. The trial court shall place the original compromise deed in its record.

6. No compromise shall be entertained by the trial court if the

informant/victim and accused are not signatories and appear before the court of its verification. In case of exigency, the trial court shall apply its mind and pass appropriate order.

7. For a period of **two months,** the proceedings of the trial court shall be kept in abeyance, if the compromise is filed and verified within stipulated period, otherwise, the trial court shall continue with the trial in accordance with law.

8. All the parties, who files compromise deed and get it verified shall then file a fresh joint application invoking inherent power of this Court to quash the criminal proceeding.

9. In view of above, the application under Section 528 B.N.S.S. is accordingly **disposed of.**

10. Office is directed to return the original copy of compromise deed to the counsel for the applicant and retain its photostat copy at the relevant place so that the same could be filed before the trial court.

October 6, 2026
Rmk.

(Chawan Prakash,J.)

Digitally signed by :-
RAM MURTI KUSHWAHA
High Court of Judicature at Allahabad