2026:AHC:207148

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 41140 of 2026

Waseem Ahmad

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Bhupendra Kumar Yadav, Krishna Kant Yadav
Counsel for Opposite Party(s)	:	Atul Kumar Kushwaha, G.A.

Court No. - 80

HON'BLE CHAWAN PRAKASH, J.

1. Heard Sri Ram Shiromani Yadav, Advocate holding brief of Sri Krishna Kant Yadav, learned counsel for the applicant, Sri Kamal Dev Rai, learned A.G.A. for the State, Sri Atul Kumar Kushwaha, learned counsel for the opposite party no. 2 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 No.279 of 2024 dated 21.12.2024 as well as cognizance order dated 14.07.2025 and entire proceedings of Case No. 2716 of 2025, arising out of Case Crime No. 239 of 2024, under Sections 498-A, 323, 504, 506 I.P.C and Section 3/4 D.P. Act, Police Station- Hayat Nagar, District Sambhal, pending in the Court of Judicial Magistrate, Court No.1, Sambhal.

3. Learned counsel for the applicant submitted that applicant and opposite party no.2 have amicably settled their dispute out of the Court. Applicant approached this Court by filing Application under Section 528 BNSS No. 32412 of 2026 with prayer to quash the proceedings in terms of compromise entered between the parties and this Court vide order dated 06.08.2026 directed the parties to appear before the trial court for verification of the parties and compromise application. Trial court vide order dated 29.08.2026 verified the parties as well as compromise application. He further submitted that applicant and opposite party no.2 have settled their dispute through compromise and, as such, opposite party no.2 does not wish to press the aforesaid case against the applicant.

Opposite party no.2 is ready to withdraw the prosecution of the applicant and in view of the compromise, no fruitful purpose would be served if the prosecution is allowed to go on.

4. Learned counsel for the opposite party no. 2 and learned A.G.A. submitted that both the parties have settled their dispute out of the court, hence, no reason to proceed further.

5. The Hon'ble Apex Court in the case of ***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,*** wherein Hon'ble Apex Court has categorically held that compromise can be made between the parties 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, 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 herein above, and also 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, entire proceedings of the aforesaid case in respect of the applicant, are hereby **quashed** in terms of compromise.

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

(Chawan Prakash,J.)

October 5, 2026
Rmk.

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