2026:AHC:207227

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 41265 of 2026

Mayank Sharma And 2 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

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

Court No. - 80

HON'BLE CHAWAN PRAKASH, J.

1. Heard Sri Dharmendra Kumar Rajput, learned counsel for the applicants, Sri Jyoti Kumar Singh, 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 entire proceedings of Criminal Case No. 49695 of 2023 (State versus Mayank and others), arising out of Case Crime No. 478 of 2023, under Sections 498-A, 323, 504 and 506 IPC and 3/4 D.P. Act, Police Station Banna Devi, District Aligarh, pending in the Court of Learned Chief Judicial Magistrate District Aligarh, on the basis of compromise.

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 Application under Section 528 BNSS No. 31249 of 2026 with prayer to quash the proceedings in terms of compromise entered between the parties and this Court vide order dated 31.07.2026 directed the parties to appear before the trial court for verification of the parties and compromise application. Trial court vide order dated 14.08.2026 verified the parties as well as compromise application. He further submitted that applicants 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 applicants. Opposite party no.2 is ready to withdraw the prosecution of the applicants and in view of the compromise, no fruitful purpose would be served if the prosecution is allowed to go on.

4. 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 Criminal Case No. 49695 of 2023 (State versus Mayank and others), arising out of Case Crime No. 478 of 2023, under Sections 498-A, 323, 504 and 506 IPC and 3/4 D.P. Act, Police Station Banna Devi, District Aligarh, pending in the Court of Learned Chief Judicial Magistrate District Aligarh, are hereby **quashed** in terms of compromise.

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

October 5, 2026
Rmk.

(Chawan Prakash,J.)

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