2026:AHC:207383

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 42688 of 2026

Najam Khan

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

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

Court No. - 80

HON'BLE CHAWAN PRAKASH, J.

1. Heard Mr. Rakesh Kumar Mishra, learned Counsel for the applicant and learned AGA for the State and perused the records.

2. The present application under Section 528 BNSS has been filed by the applicant with the following prayer:

"It is, therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to allow the present Criminal Misc. Application and to quash/set aside the entire proceedings of Case No.683/2019 (State Vs. Mariyam & others), arising out of Case Crime No.453/2018, under sections 498-A, 323, 506 I.P.C. & Section 3/4 Dowry Prohibition Act, 1961 Police Station Ganj, District Rampur pending before the learned Judicial Magistrate, Rampur and also to quash the impugned charge sheet No.429A/2018 dated 19.01.2019 submitted in the aforesaid case & the impugned cognizance/summoning order dated 02.04.2019 passed by the learned Trial Court in terms of compromise arrived between the parties dated 31.01.2025 which has been verified by the learned Trial Court vide order dated 31.07.2026."

3. Learned Counsel for the applicant has submitted that the applicant and opposite party no.2 have compromised the dispute. It is further argued that the said compromise has also been verified by the concerned Trial Court, as such the proceedings against the applicant may be quashed.

4. Learned A.G.A. admitted the fact of compromise and stated that he has no objection if the proceeding of the aforesaid case is quashed against the applicant.

5. From the perusal of the record it is apparent that parties have entered into compromise and have settled their dispute amicably.

6. The law with regards to quashing of a case on the basis of settlement

arrived between the parties is well settled. The Apex Court in the cases of **(1) B.S. Joshi and others Vs. State of Haryana and another: (2003)4 SCC 675; (2) Nikhil Merchant Vs. Central Bureau of Investigation : (2008) 9 SCC 677; (3) Manoj Sharma Vs. State and others: (2008) 16 SCC 1; (4) Gian Singh Vs. State of Punjab: (2012) 10 SCC 303; (5) Shaifullah and others Vs. State of U.P. And another: 2013 (83) ACC 278 and (6) Parbatbhai Ahir@Parbatbhai @ Bhimsinbhai Karmur and others Vs. State of Gujarat and another: (2017) 9 SCC 641** has held that the cases in which the parties have settled their grievances can be quashed.

7. Upon perusal of the records and the law laid down by the Apex Court on the subject, this is a fit case for exercising powers of this Court to quash the proceedings, as prayed for by the applicant.

8. The entire proceedings of the aforesaid case, insofar as the present to the present applicant, are hereby **quashed**.

9. The present application is **allowed**.

October 5, 2026
Vijay

(Chawan Prakash,J.)

Digitally signed by :-
VIJAY KUMAR SAHU
High Court of Judicature at Allahabad