2026:AHC:209529

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 43120 of 2026

Himanshu Tiwari And 3 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

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

Court No. - 80

HON'BLE CHAWAN PRAKASH, J.

1. Heard Sri Rajesh Mishra, learned counsel for the applicants, Sri Anil Kumar Ojha, 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 20.11.2024 as well as cognizance order dated 23.12.2024 and entire proceedings of Case No. 66504 of 2024 (State Vs. Himanshu Tiwari and others), arising out of Case Crime No. 0090 of 2024, under Sections 498A, 342, 323, 504, 406 of I.P.C. and 3/4 Dowry Prohibition Act, Police Station- Mahila Thana, District- Ghaziabad, pending in the Court of Civil Judge (J.D.) Fast Track Court-1/Judicial Magistrate, Ghaziabad.

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.28091 of 2026 with the prayer to quash the proceedings in terms of compromise entered between the parties and this Court vide order dated 16.07.2026 directed the parties to appear before the trial court for verification of the parties and compromise application. Trial court vide order dated 01.09.2026 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 the aforesaid case in respect of the applicants, are hereby **quashed** in terms of compromise.

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

(Chawan Prakash,J.)

October 7, 2026
Rmk.

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