2026:AHC:208512

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 42950 of 2026

Ashvani @ Ashvani Kumar And 2 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Manoj Kumar Pandey
Counsel for Opposite Party(s)	:	G.A.

Court No. - 80

HON'BLE CHAWAN PRAKASH, J.

1. Heard Mr. Manoj Kumar Pandey, learned Counsel for the applicants, Mr. Vipul Kumar, learned Counsel, who has filed his vakalatnama in Court today on behalf of opposite party no.2, and learned AGA for the State and perused the records.

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

"It is therefore most respectfully prayed that this Hon'ble Court may graciously be pleased to allow the application and quashing the entire proceeding of case no.31769 of 2026 (State Vs. Ashvani Kumar) under section 85, 115(2) 352 BNS & 3/4 D.P. Act, and summoning order dated 18.03.2026 (State Vs. Ashvani Kumar and others) as well as Chargesheet dated 28.11.2025 arsing out of case crime no. 236 of 2025 Police Station Gujaini, District South Commissionarate Kanpur Nagar (State Vs. Ashvini Kumar and others) pending in court of ACJ (SD)05 Kanpur Nagar on the basis of compromise."

3. Learned Counsel for the applicants has submitted that the applicants 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 applicants may be quashed.

4. Learned counsel for opposite party no.2 admitted the fact of compromise and stated that he has no objection if the proceeding of the aforesaid case are quashed against the applicants.

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 applicants.

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

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

October 6, 2026
Vijay

(Chawan Prakash,J.)

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