2026:AHC:209552

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 43129 of 2026

Gaurav And 3 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s) : Pradeep Kumar, Sunil Kumar Pandey
Counsel for Opposite Party(s) : G.A.

Court No. - 80

HON'BLE CHAWAN PRAKASH, J.

1. Sri Dharmendra Kumar, Advocate has filed Vakalatnama on behalf of opposite party no. 2 today, which is taken on record.

2. Heard Sri Pradeep Kumar, learned counsel for the applicants, Sri Jyoti Kumar Singh, learned A.G.A. for the State and perused the record.

3. 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. 308 of 2024 (State Vs. Gaurav and others), arising out of Case Crime No. 102 of 2023, under Sections 498-A, 323, 452, 506 of I.P.C and 3/4 of D.P. Act, Police Station Mahila Thana, District- Gautam Budh Nagar, pending in the Court of Civil Judge (J.D.)/F.T.C.-II, District- Gautam Budh Nagar.

4. 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.30304 of 2026 with prayer to quash the proceedings in terms of compromise entered between the parties and this Court vide order dated 28.07.2026 directed the parties to appear before the trial court for verification of the parties and compromise application. Trial court vide order dated 25.08.2026 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.

5. 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.

6. 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.

7. 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.

8. Accordingly, entire proceedings of the aforesaid case in respect of the applicants, are hereby **quashed** in terms of compromise.

9. 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