2026:AHC:209746

# HIGH COURT OF JUDICATURE AT ALLAHABAD

**APPLICATION U/S 528 BNSS No. - 43531 of 2026**

Kaushal And 2 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

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Counsel for Applicant(s) : Dipendra Kumar, Pradeep Kumar Rai
Counsel for Opposite Party(s) : G.A.

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**Court No. - 80**

**HON'BLE CHAWAN PRAKASH, J.**

1. Heard Mr. Dipendra Kumar, learned Counsel for the applicants and learned A.G.A.for the State.

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

"*It is, therefore, most respectfully to prayed that this Hon'ble Court may graciously pleased quash the Charge sheet dated 04.11.2025, Cognizance/Summoning Order dated 29.01.2026 as well as entire criminal proceeding of Criminal Case No.39 of 2026 (State Vs. Kaushal & others) arising out of Case Crime No.142 of 2025 under sections 85, 115 (2) B.N.S. and Section 3/4 of D.P.Act, Police Station-Soraon, District-Prayagraj, pending in the court of Additional Chief Judicial Magistrate, Court No.08, Allahabad on the basis of Compromise.*"

3. Learned Counsel for applicants submits that the applicants are innocent and have been falsely implicated in this case. Learned counsel for the applicants further submits that parties have amicably resolved their personal dispute, therefore, opposite party no.2 does not want to get adjudication of alleged criminal act and prayed that the aforesaid criminal case may be quashed in pursuance to compromise.

4. Learned A.G.A. for the State submits no objection if the parties approach Trial Court to file compromise in the given circumstances.

5. Whether the parties have entered into compromise, can best be

adjudicated by the Trial Court. As such, the parties may appear before the Trial Court concerned and file the compromise entered into between the parties **within 30 days,** which shall be verified by the Trial Court.

6. No compromise shall be entertained by the Trial Court if the informant/victim/injured and accused are not signatories and appear before the Court of its verification. In case of exigency, the Trial Court shall apply its mind and pass appropriate order.

7. For a period of two months, the proceedings of the Trial Court shall be kept in abeyance, if the compromise is filed and verified within stipulated period, otherwise, the Trial Court shall continue with the trial.

8. All the parties, who files compromise and get it verified, shall then file a joint application invoking inherent power of this Court to quash the criminal proceeding.

9. In view of above, the application under Section 528 B.N.S.S. is, accordingly, **disposed of.**

**(Chawan Prakash,J.)**

**October 7, 2026**
Vijay

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