2026:AHC:211264

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 43695 of 2026

Surajpal And 3 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Mohammad Zafar Yab Khan
Counsel for Opposite Party(s)	:	G.A., Lavkush Kumar Bhatt

Court No. - 72

HON'BLE DEEPAK VERMA, J.

1. Heard learned counsel for the applicants; learned counsel for opposite party no. 2 and learned A.G.A. for the State.

2. The present 528 B.N.S.S. application has been filed to quash the impugned summoning order dated 18.11.2022 passed by the learned Judicial Magistrate, Court No.7, Farrukhabad as well as entire proceedings of Complaint Case No.117 of 2019 (Jalebshree Vs. Surajpal and others), under Sections 420, 467, 468 I.P.C., P.S. Naydarwaza, District Farrukhabad, pending before the court of Judicial Magistrate, Court No.7, Farrukahabad.

3. Learned counsel for the applicants submits that earlier applicants moved Application 482 Cr.P.C. No.6399 of 2023 (Sataya Pal and 2 others vs. State of U.P. and another) to quash the proceeding on the basis of compromise entered between the parties. The Co-ordinate Bench of this Court vide order dated 01.05.2025 directed the parties to appear before the court below for verification/identification.

4. Pursuant to the said order dated 01.05.2025, the parties appeared before the court below and in their presence, after due verification of the contents of the compromise made between the parties, order has been passed by the court verifying the said compromise. A copy of the same is annexed as Annexure-7 to the application.

5. Learned counsel for the applicants has submitted that the applicants and opposite party no.2 have settled their private and civil dispute through compromise and as such opposite party no.2 does not wish to press the

aforesaid case against the applicant. 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.

6. Learned counsel appearing for the opposite party no.2 does not dispute the correctness of the submission made by learned counsel for the applicants or the correctness of the documents relied upon by him. He submits that opposite party no. 2 has no objection, if the proceedings in the aforesaid case are quashed.

7. 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.

8. 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.

9. Accordingly, the impugned summoning order dated 18.11.2022 passed by the learned Judicial Magistrate, Court No.7, Farrukhabad as well as entire proceedings of Complaint Case No.117 of 2019 (Jalebshree Vs. Surajpal and others), under Sections 420, 467, 468 I.P.C., P.S. Naydarwaza, District Farrukhabad, pending before the court of Judicial Magistrate, Court No.7, Farrukahabad, is hereby quashed.

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

October 8, 2026/SKD

(Deepak Verma, J.)

Digitally signed by :-
SURJIT KUMAR DEY
High Court of Judicature at Allahabad