2026:AHC:207409

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 39909 of 2024

Avnish Kumar Dwivedi And 4 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Chandra Bhushan Mishra, Prem Shanker Mishra
Counsel for Opposite Party(s)	:	G.A., Ram Krishna Dubey

Court No. - 80

HON'BLE CHAWAN PRAKASH, J.

1. Heard Mr. Chandra Bhushan Mishra, learned Counsel for the applicants, Mr. Ram Krishna Dubey, learned Counsel for opposite party no.2 and learned AGA for the State and perused the records. The supplementary affidavit, filed today in Court, is taken on record.

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

"अतः माननीय न्यायालय से सविनम्र निवेदन है कि न्यायालय सिविल जज (जू०डि०) / त्वरित न्यायालय महिलाओं के विरूद्ध अपराध, भदोही के समक्ष लम्बित दाण्डिक वाद संख्या 71201 वर्ष 2024 राज्य बनाम अवनीश कुमार द्विवेदी आदि अन्तर्गत धारा 498ए, 323, 504, 506 भारतीय दण्ड संहिता एवं 3/4 दहेज प्रतिषेध अधिनियम थाना महिला थाना, जनपद भदोही से सम्बन्धित आरोपपत्र संख्या 23 वर्ष 2024 दिनांकित 01.10.2024 जो आरोपित अपराध संख्या 20 वर्ष 2024 में से सृजित/उत्पन्न/पंजीकृत हुआ/किया गया है, जिसमें प्रश्नगत प्रसंज्ञान ग्रहण व सम्मन आदेश दिनांकित 18.10.2024 भी सम्मिलित है, निरस्त करने की महती कृपा करें।"

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 is 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**.

(Chawan Prakash,J.)

October 5, 2026
Vijay

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