HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 47723 of 2026

Shamshuddin And 6 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

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

Court No. - 80

HON'BLE CHAWAN PRAKASH, J.

1. Ms. Tabassum Bano, Advocate has filed Vakalatnma on behalf of opposite party no. 2 today, which is taken on record.

2. Heard Sri Manoj Kumar Mishra, learned counsel for the applicants, Sri Kamal Dev Rai, learned A.G.A. for the State, Ms. Tabassum Bano, learned counsel for the opposite party no. 2 and perused the record.

3. The present application under Section 528 B.N.S.S. has been filed with the prayer to quash the quash the entire proceedings of Case No 1191 of 2022 (State Versus Shamshuddin and others), arising out case Crime No. 193 of 2019, under Sections 498A, 323, 504 I.P.C and 3/4 D.P. Act, Police Station Aliganj, District Bareilly, pending in the court of Judicial Magistrate-2 Awala, Bareilly, on the basis of compromise between the parties.

4. Learned counsel for the applicants submits that the applicants and opposite party no. 2 have entered into a compromise and they have amicably settled their dispute outside the court and no dispute is pending between them, therefore, does not want to get adjudication of alleged criminal act and prayed that the aforesaid criminal case may be quashed. He further submits that the applicants shall file compromise deed before the learned trial court for verification.

5. Learned counsel for the opposite party no. 2 and learned A.G.A. for the State submit that they have no objection if the parties approach trial court

to file compromise deed in the given circumstances.

6. 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 and file the compromise deed entered into between the parties within 30 days, which shall be verified by the trial court. The trial court shall place the original compromise deed in its record.

7. No compromise shall be entertained by the trial court if the informant/victim 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.

8. 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 in accordance with law.

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

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

11. Office is directed to return the original copy of compromise deed to the counsel for the applicants and retain its photostat copy at the relevant place so that the same could be filed before the trial court.

(Chawan Prakash,J.)

October 29, 2026
Rmk.

Digitally signed by :-
RAM MURTI KUSHWAHA
High Court of Judicature at Allahabad