HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 46120 of 2026

Atar Singh Yadav And 6 Others

.....Applicant(s)

Versus

State Of U.P. And 2 Others

.....Opposite Party(s)

Counsel for Applicant(s)	:	Rateesh Singh
Counsel for Opposite Party(s)	:	G.A., Shriprakash Yadav

Court No. - 80

HON'BLE PADAM NARAIN MISHRA, J.

1. The present application under Section 528 BNSS has been filed by the applicants seeking quashing of the entire proceedings of Case No.1040 of 2026 (State Vs. Atar Singh Yadav and others), arising out of Case Crime No.561 of 2025, under Sections 85, 115(2), 352, 351(2), 74 B.N.S. and Section 3/4 D.P. Act, Police Station- Handia, District- Prayagraj, and cognizance as well as summoning order dated 20.06.2026, pending in the Court of learned Additional Chief Judicial Magistrate, Court No.8, Allahabad.

2. Learned counsel for both the parties submitted that the parties have settled their dispute by way of compromise dated 17.08.2026, which has been verified in pursuance of order dated 31.08.2026 passed by the co-ordinate Bench of this Court in Application u/s 528 BNSS No. 36118 of 2026 and the photo copies of certified copies of the verified compromise as well as verification proceedings have been sent by the trial court concerned, which is on record.

3. Learned counsel for the opposite party no. 2 argued that as the parties have already arrived at amicable settlement on 17.08.2026 in the aforesaid case and, therefore, opposite party no. 2 is no more interested to pursue the case any more against the applicants.

4. Heard learned counsel for the applicants and learned counsel for the Opposite Party No.2 and learned AGA for the State.

5. A three-Judge Bench of the Supreme Court in **Gian Singh v. State of Punjab & another, (2012) 10 SCC 303,** has observed that: (SCC p.340,

para 58)

> *"58. Where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is resorted; securing the ends of justice being the ultimate guiding factor."*

6. Keeping in mind the position of law and facts, circumstances of the case, the present application under Section 482 of the Code/ 528 BNSS stands **allowed**.

7. The entire proceedings of Case No.1040 of 2026 (State Vs. Atar Singh Yadav and others), arising out of Case Crime No.561 of 2025, under Sections 85, 115(2), 352, 351(2), 74 B.N.S. and Section 3/4 D.P. Act, Police Station- Handia, District- Prayagraj, and cognizance as well as summoning order dated 20.06.2026, pending in the Court of learned Additional Chief Judicial Magistrate, Court No.8, Allahabad, is hereby quashed.

8. This order is being passed by this Court after hearing the contesting parties. If at all, opposite party no. 2 feels that he has been duped or betrayed, then in that event, he may file recall application explaining the reasons for filing the said application.

9. The parties may file the certified copy of this order before the court concerned within six weeks from today.

(Padam Narain Mishra,J.)

October 23, 2026
Israr

Digitally signed by :-
ISRAR AHMAD
High Court of Judicature at Allahabad