HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 47308 of 2026

Rajeev Dutt Sharma

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Sachchida Nand Tiwari
Counsel for Opposite Party(s)	:	G.A.

Court No. - 80

HON'BLE CHAWAN PRAKASH, J.

1. Heard Mr. Sachchida Nand Tiwari, learned Counsel for the applicants, Mr. Sunil Kumar Kushwaha, learned Counsel, who has filed his vakalatnama in Court today on behalf of opposite party no.2, and learned AGA for the State and perused the records. The said vakalatnama is taken on record.

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

"It is, therefore most respectfully prayed that the Hon'ble Court may graciously be pleased to allow the application and quash the entire proceeding emanating from impugned order dated 16.10.2025 taking Cognizance on charge sheet dated 24.11.2024 and summoning the applicant for offence U/S 85, 115(2), 352, 351(2) BNS and 3/4 D.P. Act registered as Case No.-92726/2025 pending before learned Chief Judicial Magistrate, Ghaziabad arising out of Case Cr. No.- 930/2024, P.S.- Kavi Nagar, City (Commissionerate, Ghaziabad), in the interest of justice otherwise the applicant shall suffer irreparable loss and injuries."

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 are 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**.

October 27, 2026
Vijay

(Chawan Prakash,J.)

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