HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 47161 of 2026

Amit Kumar And 4 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Sudarshan Singh
Counsel for Opposite Party(s)	:	G.A., Rakesh Kumar Singh

Court No. - 80

HON'BLE CHAWAN PRAKASH, J.

1. Sri R. K. Singh, Advocate has filed short counter affidavit alongwith Vakalatnama on behalf of opposite party no. 2, which is taken on record.

2. Heard Sri Sudarshan Singh, learned counsel for the applicants, Sri Durgesh Kumar Tripathi, learned Brief Holder for the State and perused the record.

3. The present application under Section 528 B.N.S.S. has been filed with the prayer to quash the summoning order dated 25.06.2026 and the entire proceedings of Criminal Case No. 25054 of 2026 (State Vs. Amit and others), arising out of Case Crime No. 188 of 2025, under Sections 85, 115(2), 351(3) B.N.S. and 3/4 D.P. Act, P.S. Shergarh, District Bareilly, pending in the Court of Additional Civil Judge (S.D.)/ A.C.J.M, Room No.6, Bareilly.

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.**

(Chawan Prakash,J.)

October 27, 2026
Rmk.

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