2026:AHC:209805

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 47656 of 2025

Govind Singh Yadav And Another

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Jitendra Kumar Singh, Lal Chandra Mishra
Counsel for Opposite Party(s)	:	G.A., Gurumani Shukla, Gyanendra Singh

Court No. - 80

HON'BLE CHAWAN PRAKASH, J.

1. Heard Mr. Jitendra Kumar Singh, learned Counsel for the applicants, Mr. Gyanendra Singh, learned Counsel for the opposite party no. 2 and learned A.G.A. for the State and perused the record.

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

"It is therefore, most respectfully prayed that this Hon'ble court may graciously be pleased to quash the charge-sheet dated 23.06.2024 as well as cognizance order dated 18.09.2025 in Case No. 133/IX/2025; State Vs. Govind Singh Yadav and others, Case Crime No. 158 of 2024, U/S 498-A, 323, 504, 506 I.P.C. and U/S 3/4 Dowry Prohibitions Act, 1961, Police Station Kotwali Nagar, District Banda, pending in the Court of Chief Judicial Magistrate Banda, on the basis of compromise between both the parties dated 03.09.2025.

3. Learned Counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the present case. He further submits that marriage between applicant no.1 and opposite party no.2 was solemnized on 25.04.2019 according to Hindu rites and rituals. Opposite party no.2 lodged an F.I.R., registered as Case Crime No. 158 of 2024, under Sections 498A, 323, 504, 506 I.P.C. and Section 3/4 D.P. Act at Police Station Kotwali Nagar, District Banda, against the applicants. After the investigation, a charge-sheet was filed against the applicants and the learned Magistrate took cognizance thereof. He further submits that applicant no.1 and opposite party no.2 have amicably settled their dispute amicably and filed Petition No. 326 of of 2025 under Section 13-B of Hindu Marriage

Act. Their marriage was dissolved by order dated 02.07.2026. The applicant no.1 has paid Rs. 50,00,000/- to the opposite party no.2 as permanent alimony. Therefore, the entire proceedings against the applicants may be quashed.

4. Learned Counsel for the opposite party no.2 submits that opposite party no.2 has settled the dispute and received Rs. 50,00,000/- from the applicant no.1 and has no objection if the impugned proceedings pending against the applicants is quashed.

5. 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.

6. 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.

7. The entire proceedings of the aforesaid case, insofar as the present to the present applicants, are hereby **quashed**.

8. The present application is **allowed**.

October 7, 2026
Vijay

(Chawan Prakash,J.)

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