2026:AHC:230710

# HIGH COURT OF JUDICATURE AT ALLAHABAD

**APPLICATION U/S 528 BNSS No. - 49543 of 2026**

Ankit Kumar And 3 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

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|---|---|---|
| Counsel for Applicant(s) | : | Ajay Kumar Srivastava |
| Counsel for Opposite Party(s) | : | G.A. |

**Court No. - 80**

**HON'BLE CHAWAN PRAKASH, J.**

1. Heard Sri Rishi Yadav, Advocate holding brief of Sri Ajay Kumar Srivastava, learned counsel for applicants, Sri Jyoti Kumar Singh, learned AGA for the State and perused the record.

2. The present application under Section 528 of the B.N.S.S. has been filed by the applicants with a prayer to quash the charge sheet dated 12.11.2025, cognizance/summoning order and the entire proceedings of Case No. 19351 of 2026 (State Versus Ankit Kumar and others), arising out of Case Crime No. 517 of 2025, under Sections 85, 115 (2), 352, 351 (3) B.N.S. and Section 3/4 of D.P. Act, Police Station T.P. Nagar, District-Meerut, pending in the Court of Additional Chief Judicial Magistrate, Court No. 6, Meerut.

3. Learned counsel for the applicants submitted that applicants and opposite party no.2 have amicably settled their dispute before the Mediation Centre, High Court, Allahabad. Applicants approached this Court by filing Application under Section 528 BNSS No. 23397 of 2025 with the prayer to quash the proceedings of the aforesaid case. By order dated 06.11.2025, this Court referred the matter before the Mediation Centre, High Court, Allahabad wherein the parties have greed to resolve their dispute and have decided to live together as husband and wife along with daughter by Settlement Agreement dated 22.04.2026. They also agreed that all the cases (civil and criminal) filed by them against each other or their family members regarding present matrimonial dispute, shall be withdrawn by them by taking appropriate steps before the court

concerned. He further submitted that applicants and opposite party no.2 have compromised the matter and that opposite party No.2 does not wish to pursue the aforesaid case against the applicants. He also submitted that applicants and opposite party no.2 have settled their dispute through compromise and, therefore, opposite party no.2 does not wish to pursue the aforesaid case against the applicants. Opposite party no.2 is ready to withdraw the prosecution against the applicants and, in view of the compromise, no fruitful purpose would be served by allowing the prosecution to continue.

4. Learned AGA submitted that both the parties have settled their dispute out of the court, hence, no reason to proceed further.

5. In **Narindra Singh and others Vs. State of Punjab, (2014) 6 SCC 466, Parbatbhai Aahir @ Parbatbhai Vs. State of Gujarat (2017) 9 SCC, 641, Gian Singh Vs. State of Punjab (2012) 10 SCC 303 and State of M.P. Vs. Laxmi Narayanan (2019) 5 SCC 688**, the Hon'ble Supreme Court has categorically held that the parties may enter into compromise even in respect of certain cognizable and non-compoundable offences. Reference may also be made to the decision given by this Court in **Shaifullah and others Vs. State of U.P. and another [2013 (83) ACC 278]**, in which, the law expounded by the Hon'ble Apex Court in the aforesaid cases has been explained in detail.

6. Considering the facts and circumstances of the case, as noted above, and the submissions made by learned counsel for the parties, this Court is of the considered opinion that no useful purpose would be served by prolonging the proceedings of the above mentioned case.

7. Accordingly, the proceedings of aforesaid case are hereby quashed insofar as present applicants are concerned.

8. This application under Section 528 of the B.N.S.S. is accordingly **allowed.**

**(Chawan Prakash,J.)**

**November 5, 2026**
Rmk.

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