



2026:AHC:177383

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 7729 of 2025

Amit Singh And 6 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Ajay Sengar, Keshari Nandan Singh
Counsel for Opposite Party(s) : Ajay Singh Sengar, G.A., Raja Singh Parihar

Court No. - 69

HON'BLE AVNISH SAXENA, J.

1. This is specially assigned matter.

2. None appeared for the parties.

2A. Learned AGA for State is present.

3. The matter is matrimonial in nature. The applicant no. 1 and opposite party no. 2/informant entered into marriage as per Hindu Rites and Ceremony but soon after the marriage, there was matrimonial discord between the parties which led to the lodging of the FIR, consequently the applicants (husband and in-laws) have been implicated. After the submission of charge sheet, the accused persons had invoked the inherent jurisdiction of this Court. The matter was sent to mediation vide order dated 09.04.2025 passed by co-ordinate Bench of this Court. The order dated 09.04.2025 is reiterated underneath:-

"1. Heard Ms. Gunjan Yadav holding brief of Shri Ajay Sengar, learned counsel for the applicant, Shri Ramendra Singh holding brief of Shri Ajay Singh Sengar, learned counsel for the opposite party no. 2, and Ms. Harshita Rani, learned AGA for the State.

2. The present application has been filed to quash the charge sheet dated 18.11.2024 and cognizance/summoning order dated 01.01.2025 as well as entire proceedings of Criminal Case No. 66/2024, Case Crime No. 78/2024, under Sections-498-A, 323 IPC and Section- 3/4 of Dowry Prohibition Act, Police Station- Nawabad, District- Jhansi.

3. Contention of learned counsel for the applicants is that the present proceeding arises out of the offence which is matrimonial in nature, and therefore, the matter may be referred to the Mediation Centre.

4. In view of the above, the matter is referred to the Mediation Centre, High Court Allahabad, subject to the condition that the applicants will deposit a sum of Rs.30,000/- within three weeks from today with the Mediation Centre, out of which Rs.25,000/- shall be paid to the opposite party no.2 on her appearance before the Mediation Centre on a date to be

fixed by the mediation center. Balance Rs.5,000/- shall be retained by the mediation center towards its expenses.

5. It is also directed that while depositing the amount before the Mediation Centre, learned counsel for the applicants shall also file memo of parties as mentioned in the present case along with WhatsApp Number as well as Email-Id of the private respondent(s), if available.

6. Issue notice to opposite party no.2.

7. After depositing the aforesaid amount within aforementioned time, notices shall be issued to the parties fixing some date for mediation and the Mediation Centre shall make all possible efforts to conclude the mediation and conciliation proceedings expeditiously.

8. List in the week commencing 28.07.2025 along with the report of Mediation Centre.

9. It is further provided, if applicants file receipt of deposit of the aforesaid amount before the court below then no coercive action shall be taken against the applicants in the aforesaid case, till the next date of listing.

10. It is also made clear that in case the applicants fail to submit the receipt of the aforesaid deposit before the court below then the court below would be free to proceed against the applicants.

11. It is clarified that interim order has been granted till the next date, if the applicants fail to produce any order of this court extending the interim order after the date fixed then court below would be free to proceed against the applicants. "

4. In pursuance of the aforesaid order, the parties appeared for mediation. The report of Mediation and Conciliation Centre, High Court, Allahabad dated 17.10.2025 reveals that the parties have settled their dispute through compromise in mediation. The same is on record.

5. Learned AGA for the State has opposed the application.

6. There is no point in getting the trial continued, when the parties have buried their hatches as the star witness would not support the prosecution case.

7. Hon'ble the Supreme Court in the cases of ***Geeta Mehrotra and another Vs. State of Uttar Pradesh and another*** reported in (2012) 10 SCC 741 made observation borne out of experience that there is a tendency to involve entire family members of the household in the domestic quarrel taking place in a matrimonial dispute. Further, in case of ***Kahkashan Kausar alias Sonam and others Vs. State of Bihar and others***, reported in (2022) 6 SCC 599, Hon'ble the Supreme Court has observed the misuse of Section 498-A IPC and increasing tendency of implicating relatives of husband.

8. In the case of ***Narendra Kumar and Others v. State and Another*** reported in 2024 SCC OnLine SC 4048 (relevant paragraph 21), Hon'ble

the Supreme Court while considering the co-extensive powers of the Supreme Court and High Court under Article 142 of the Constitution of India and Section 482 CrPC (528 BNSS), respectively. On the point of quashing criminal proceeding on the basis of compromise in a non-compoundable offence, particularly, in the matrimonial cases, opined, considering the previous judgments of Hon'ble the Supreme Court, the inherent power vested in the Constitution Courts to quash the proceedings on the basis of settlement and compromise between the victim and wrongdoer, to be exercised to secure the ends of justice.

9. Considering the settlement entered into between the parties and the law laid down by the Hon'ble Supreme Court as mentioned above, entire proceedings of Criminal Case No. 66/20255, Case Crime No. 78/2024, under Sections-498-A, 323 IPC and Section- 3/4 of Dowry Prohibition Act, Police Station- Mahila Thana Nawabad, District- Jhansi, including charge sheet dated 18.11.2024 and cognizance/summoning order dated 01.01.2025, are hereby **quashed**.

10. In view of the above, the Application under Section 528 BNSS is accordingly **allowed**.

11. Let a copy of this order be sent to District Judge concerned through **Registrar (Compliance)**.

(Avnish Saxena,J.)

August 21, 2026

Sharad/-