



2026:AHC:176183

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 50095 of 2025

Sadab And Another

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Amir Khan
Counsel for Opposite Party(s)	:	G.A., Saurabh Kumar

Court No. - 83

HON'BLE CHAWAN PRAKASH, J.

1. Heard Sri Amir Khan, learned counsel for applicants, Sri Saurabh Kumar, learned counsel for opposite party No.2 and learned AGA for the State.

2. The present application under Section 528 B.N.S.S. has been filed by the applicants with a prayer to allow the present application and to quash the impugned charge sheet dated 23.09.2024 and impugned cognizance/summoning order dated 17.12.2024 passed by the learned Judicial Magistrate-IIInd, Aligarh as well as entire proceedings of Criminal Case No.67 of 2025, arising out of Case Crime No.154 of 2024, under Sections-85, 115(2), 352 of B.N.S. and Section-3/4 of Dowry Prohibition Act and Section-3/4 of The Muslim Women (Protection of Rights on Marriage) Act, 2019, Police Station-Chandaus, District-Aligarh, pending in the Court of learned Additional Civil Judge (Junior Division)-3rd, Aligarh, on the basis of Compromise dated 03.12.2025.

3. Learned counsel for the applicants submitted that applicants and opposite party no.2 have amicably settled their dispute out of the Court. Applicants approached this Court by filing this application with prayer to quash the proceedings on terms of compromise entered between the parties, this Court vide order dated 20.3.2026 directed the parties to appear before the trial court for verification of the parties and compromise application. Trial court vide order dated 30.3.2026 verified the parties as well as compromise application. He further submitted that applicants and opposite party no.2 compromised the matter and opposite party No.2 does

not want to proceed the matter against the applicants. He further submitted that applicants and opposite party no.2 have settled through compromise their dispute and as such opposite party no.2 does not wish to press the aforesaid case against the applicants. Opposite party no.2 is ready to withdraw the prosecution of the applicants and in view of the compromise, no fruitful purpose would be served if the prosecution is allowed to go on.

4. Learned counsel appearing for the opposite party no.2 does not dispute the correctness of the submission made by learned counsel for the applicants or the correctness of the documents relied upon by him. He submits that opposite party no. 2 has no objection, if the proceedings in the aforesaid case are quashed.

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

6. The Hon'ble Apex Court in the case of **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**, wherein Hon'ble Apex Court has categorically held that compromise can be made between the parties 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, law expounded by the Hon'ble Apex Court in the aforesaid cases has been explained in detail.

7. Considering the facts and circumstances of the case, as noted herein above, and also 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.

8. Accordingly, the proceedings of harge sheet dated 23.09.2024 and impugned cognizance/summoning order dated 17.12.2024 passed by the learned Judicial Magistrate-IIInd, Aligarh as well as entire proceedings of Criminal Case No.67 of 2025, arising out of Case Crime No.154 of 2024,

under Sections-85, 115(2), 352 of B.N.S. and Section-3/4 of Dowry Prohibition Act and Section-3/4 of The Muslim Women (Protection of Rights on Marriage) Act, 2019, Police Station-Chandaus, District-Aligarh are hereby quashed.

9. This application under Section 528 B.N.S.S. is accordingly **allowed**.

(Chawan Prakash,J.)

August 20, 2026
Md Faisal