



2026:AHC:168004-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 2974 of 2026

Yunus And 7 Others

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Adil Khan
Counsel for Respondent(s)	: Abdul Ahad, G.A., Mohammad Zunaid Khan, Pulkit

Court No. - 48

**HON'BLE CHANDRA DHARI SINGH, J.
HON'BLE TARUN SAXENA, J.**

1. The instant writ petition has been filed by the petitioners with the following main prayers :-

"(1) Issue a writ, order or direction in the nature of certiorari to quashing the first information report dated 30.01.2026 registered in Case Crime No. 104 of 2026, under Section 85, 115(2), 352, 351(2) B.N.S., Section 3/4 D.P. Act, and Section 3/4 of Muslim Women (Protection of Rights on Marriage) Act-2019, Police Station Majhola, District Moradabad.

(2) Issue a writ, order or direction in the nature of mandamus commanding and directing the respondent no. 2 not to harass, torture and arrest the petitioners in pursuance to the first information report dated 30.01.2026 registered in Case Crime No. 104 of 2026, Under Section-85, 115(2), 352, 351(2) B.N.S., Section 3/4 D.P. Act, and Section 3/4 of Muslim Women (Protection of Rights on Marriage) Act-2019, Police Station Majhola, District Moradabad.

2. Learned counsel appearing on behalf of the petitioners submitted and apprised the Court that the parties have already settled their entire disputes before Mediation and Conciliation Centre, Allahabad High Court. He has also submitted that the settlement agreement have been signed by both the parties with the undertaking that they shall abide by all the terms and conditions mentioned in the settlement agreement dated 24.07.2026. During the course of argument, he has placed a photostat copy of the settlement agreement, which is taken on record.

3. Learned counsel appearing on behalf of the parties have jointly submitted that the parties concerned have settled their disputes amicably. In compliance of the order dated 17.02.2026 the matter was referred to Mediation and Conciliation Centre, Allahabad High Court. It is further submitted that the parties concerned shall abide by all the terms and conditions mentioned in the said settlement agreement dated 24.07.2026, which is on record. As per the terms and condition of the agreement mentioned in paragraph-7 of the said agreement which is as follows:

"7. The following settlement has been arrived at between the Parties hereto:

a) That both the parties are living together as husband and wife since 22.06.2026 forgetting all previous disputes and differences. In continuation of the said, the parties appeared and stated that they are fully satisfied with this renunion and further they want to continue it for the rest of their lives.

(b) That the husband and wife undertake that they shall not take any such action which may hurt either of the party mentally or physically and shall try to satisfy each other by their activities.

(c). That the parties undertake not to commit any kind of cruelty against each other in any manner whatsoever.

(d). That it has been agreed between the parties that they will behave properly living in peaceful and cordial atmosphere.

(e). That the husband undertakes to take care of his wife and son and fulfill all essential requirements and amenities to them in future.

(f). That it has also been agreed between the parties that all civil and criminal cases, if any, filed by them against each other or their family members regarding present matrimonial dispute, shall be withdrawn by the parties concerned by taking appropriate steps before the Court/authority concerned.

(g). That the parties will not file any fresh case against each other or their family members in respect of present matrimonial dispute.

(h). That it has been agreed between the parties that they shall not violate the terms and conditions of this settlement."

4. Learned counsel for the parties further submits that since all the disputes between the parties concerned have already been settled before the Mediation and Conciliation Centre, Allahabad High Court, the impugned First Information Report dated 30.01.2026 against the petitioners deserves to be quashed.

5. Learned Additional Government Advocate appearing on behalf of the State-respondents has not disputed the facts of the settlement agreement.

6. Heard Mr. Adil Khan, learned counsel appearing on behalf of the petitioners, learned counsel appearing on behalf of respondent no. 3 and learned A.G.A. appearing on behalf of the State-respondents.

7. We have perused the settlement agreement dated 24.07.2026 sent by Allahabad High Court Mediation and Conciliation Centre.

8. Taking into consideration the submissions made by learned counsel appearing on behalf of the petitioners, learned A.G.A. appearing on behalf of the State-respondents, learned counsel appearing on behalf of respondent no. 3, the settlement agreement dated 24.07.2026 and the statement made by the parties concerned that they shall abide by all the terms and conditions of the said compromise deed, we have satisfied that no purpose would be served to put the petitioners on trial.

9. In view of the above-said facts as well as law laid down by the Apex Court in the judgment of **Gian Singh Vs. State of Punjab & Another (2012) 10 SCC 303**, we are inclined to allow this writ petition.

10. Accordingly, the present writ petition is **allowed**.

11. The impugned F.I.R. 30.01.2026 registered as Case Crime No. 104 of 2026, under Sections 85, 115(2), 352, 351(2) B.N.S., Section 3/4 D.P. Act and Section 3/4 of Muslim Women (Protection of Rights on Marriage) Act-2019, Police Station Majhola, District Moradabad is hereby quashed.

(Tarun Saxena,J.) (Chandra Dhari Singh,J.)

August 11, 2026

SK Srivastava