



2026:AHC:169793

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 9204 of 2026

Ram Kumar And 4 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Ram Krishna Yadav, Shikha Sharma
Counsel for Opposite Party(s) : Deen Dayal Yadav, G.A., Subhash
Chandra Yadav

Court No. - 84

HON'BLE PRASHANT MISHRA-I, J.

1. Supplementary affidavit has been filed by the learned counsel for the applicants and it is taken on record.
2. Sri Ram Krishna Yadav, learned counsel for the applicants, Sri Subhash Chandra Yadav, learned counsel for the Opposite Party No. 2 and learned A.G.A. for the State are present.
3. The present 528 BNSS application has been filed to quash the summoning order dated 06.11.2019 passed by the learned Chief Judicial Magistrate, Jalaun at Orai along with entire proceedings of Complaint No.4016/2018 (Smt. Rekha vs. Ram Kumar and others), under Sections 323, 498A of IPC and Section 4 of the Dowry Prohibition Act, Police Station- Kotwali Orai, District- Jalaun, pending before Civil Judge (J.D.)/F.T.C. (Complaint against Women), Jalaun at Orai.
4. Learned counsel for the applicants drew the attention of this Court on the order dated 09.03.2026 vide which the instant matter was sent to the trial court for verification of the parties and compromise deed. In compliance of the said order, the learned Trial court has sent its report dated 19.03.2026 by which it has verified the parties as well as compromise deed. The compromise deed has also been filed by way of supplementary affidavit before this Court. He submits 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.

5. 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.

6. Learned A.G.A. submitted that both the parties have settled their dispute out of the court, hence, there is no reason to proceed further.

7. 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, **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.

8. 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.

9. Accordingly, the summoning order dated 06.11.2019 passed by the learned Chief Judicial Magistrate, Jalaun at Orai along with entire proceedings of Complaint No.4016/2018 (Smt. Rekha vs. Ram Kumar and others), under Sections 323, 498A of IPC and Section 4 of the Dowry Prohibition Act, Police Station Kotwali Orai, District Jalaun, pending before Civil Judge (J.D.)/F.T.C. (Complaint against Women), Jalaun at

Orai, are hereby quashed.

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

(Prashant Mishra-I,J.)

August 12, 2026
Saurabh