



2026:AHC:170545

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 36559 of 2025

Abhishek And 3 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Dharendra Kumar Srivastava
Counsel for Opposite Party(s) : Anil Mishra, Manoj Kumar Yadav,
G.A.

Court No. - 83

HON'BLE CHAWAN PRAKASH, J.

1. Heard Mr. Dharendra Kumar Srivastava, learned Counsel for the applicants, Mr. Manoj Kumar Yadav, learned Counsel for the opposite party no. 2 and learned A.G.A. for the State and perused the record.

2. Appellant nos. 1 and 2 are present in person in Court today. Their presence be marked.

3. The present application under Section 528 BNSS has been filed with the following prayer:

"It is, therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to quash the impugned summoning order dated 05.07.2025 passed by the learned Additional Judicial Magistrate, Chakiya, Chandauli and impugned charge sheet dated 08.01.2025 as well as entire criminal proceedings of Criminal Case No.1732 of 2025 (State vs. Abhishek and Others) arising out of Case Crime No.78 of 2024, under Sections-498A, 323, 406, 504, 506 I.P.C. and Section-3/4 of Dowry Prohibition Act, Police Station-Baburi, District-Chandauli, pending before the Court of learned Additional Judicial Magistrate, Chakiya, Chandauli."

4. This Court, vide order dated 22.09.2025, referred the matter before the Mediation and Conciliation Centre, High Court, Allahabad with the direction that the applicants shall deposit a sum of Rs. 25,000/- at the Mediation Centre.

5. Learned Counsel for the applicants submits that the mediation succeeded. The parties agreed that the husband shall pay an amount of Rs. 75,000,000/- to his wife, i.e. opposite party no.2, as permanent alimony towards *streedhan*, maintenance etc. Rs. 50,00,000/- was handed over to opposite party no.2 before the mediation centre and rest Rs. 25,00,000/- shall be paid before the Principle Judge, Family Court, Varanasi, at the time of passing of final judgment in Divorce Petition No. 46 of 2026. He further submits that the applicant has deposited Rs. 25,00,000/- before the Trial Court and shall be paid to the opposite party no.2 at the time of final judgment. The parties before this Court had made a request that they have entered into a compromise in this matter and have settled all the disputes between them and now they do not want to proceed with this matter.

6. As per report dated 10.04.2026 of Mediation Centre, parties have entered into compromise.

7. Learned Counsel for the opposite party no.2 submits that he has no objection if the impugned proceedings pending against the applicants is quashed.

8. The law with regards to quashing of a case on the basis of settlement arrived between the parties, is well settled. The Apex Court in the cases of **(1) B.S. Joshi and others Vs. State of Haryana and another: (2003)4 SCC 675; (2) Nikhil Merchant Vs. Central Bureau of Investigation : (2008) 9 SCC 677; (3) Manoj Sharma Vs. State and others: (2008) 16 SCC 1; (4) Gian Singh Vs. State of Punjab: (2012) 10 SCC 303; (5) Shaifullah and others Vs. State of U.P. And another: 2013 (83) ACC 278 and (6) Parbatbhai Ahir@Parbatbhai @ Bhimsinbhai Karmur and others Vs. State of Gujarat and another: (2017) 9 SCC 641** has held that the cases in which the parties have settled their grievances can be quashed.

9. From perusal of the records and the law laid down by the Apex Court on the subject matter, the present case is a good case for exercising powers by this Court to quash the proceedings as prayed for by the applicants.

10. The entire proceedings of the aforesaid case with regard to the present applicants are hereby **quashed**.

11. The present application is **allowed**.

August 13, 2026
Vijay

(Chawan Prakash,J.)