



2026:AHC:59680

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 5308 of 2026

Sheelam And Another

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Prakash Veer Tripathi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 75

HON'BLE SAURABH SRIVASTAVA, J.

1. Heard Sri Prakash Veer Tripathi, learned counsel for applicants and learned AGA for the State.
2. Present application has been preferred with a prayer to quash the entire proceeding of Case no. 2208 of 2013 arising out of Case Crime no. 901 of 2012 under Section 109, 342 IPC, PS-Kahlilabad, District Sant Kabir Nagar pending in court of learned Chief Judicial Magistrate, Sant Kabir Nagar on the basis of compromise entered between the parties concerned on 7.11.2024 which has been verified by learned trial court.
3. Learned counsel for applicants submitted that earlier, applicants approached this Court by way of filing Application u/s 482 no. 29351 of 2013 (Sheelam and another vs. State of U.P. and another) wherein vide order dated 16.9.2025 passed by co-ordinate Bench of this Court, applicants were directed to appear before learned court concerned and get the compromise entered between them verified by the said court. In compliance of order dated 16.9.2025 passed by this Court, parties concerned appeared before court concerned and filed fresh compromise deed and the said compromise entered between applicants and opposite party no. 2 has been verified by learned court concerned and

verification report dated 14.11.2025 has already been received from learned Chief Judicial Magistrate, Sant Kabir Nagar and the same is appended as Annexure no. 4 to the instant application wherein it is mentioned that compromise entered by both the parties have been verified by learned court concerned.

4. Learned AGA for the State showed no objection to aforesaid contention of learned counsel for applicants.

5. From perusal of records, it transpires that the parties have amicably settled their dispute and it has been submitted that there would be no harm and error and it would be in the interest of justice that the proceedings may be quashed in light of the verification report.

6. A three-Judge Bench of the Hon'ble Supreme Court in **Gian Singh v. State of Punjab & another, (2012) 10 SCC 303**, has observed in para 58 of the said judgment that where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is resorted; securing the ends of justice being the ultimate guiding factor.

7. In the case of **Madhavrao Jiwajirao Scindia v. Sambhajirao Chandraojirao Angre, [(1988) 1 SCC 692]**, Hon'ble the Apex Court has also observed that where matters are also of civil nature i.e. matrimonial, family disputes, etc. the Court may consider "special facts", "special feature" and quash the criminal proceeding to encourage genuine settlement of disputes between the parties.

8. In view of the aforementioned facts and circumstances, the entire proceeding of Case no. 2208 of 2013 arising out of Case Crime no. 901 of 2012 under Section 109, 342 IPC, PS-Kahlilabad, District Sant Kabir Nagar, are hereby **quashed**, only

in respect of applicants herein.

9. Accordingly, the present application stands **allowed**.

10. The parties may file the copy of this order before the court concerned within three weeks from today.

11. If at all, opposite party no. 2 feels that he/she has been duped or betrayed, then in that event, he/she may file recall application explaining the reasons for filing the said application.

March 23, 2026

Shaswat

(Saurabh Srivastava,J.)