



2026:AHC:54517

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 938 of 2026

Mukesh Gupta

.....Appellant(s)

Versus

State of U.P. and Another

.....Respondent(s)

Counsel for Appellant(s)	:	Manish Mani, Vishveshwar Mani Tripathi
Counsel for Respondent(s)	:	G.A., Vikas Yadav

Court No. - 51

HON'BLE ANIL KUMAR-X, J.

1. Heard learned counsel for the appellant, learned counsel for the respondent/informant and Shri R.K.Singh, learned AGA for the State.
2. This criminal appeal under Section 14-A(1) of The Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been preferred to allow the appeal and set aside the impugned cognizance/summoning order dated 28.07.2025 passed by the Court of learned Special Judge, SC/ST Act, Gorakhpur, as well as entire proceeding in Session Case No.1889 of 2025 (State Vs. Mukesh Gupta) and Charge-Sheet dated 30.11.2024 arising out of Case Crime No. 667 of 2024, under Section 77, 78, 352, 351(3) B.N.S. and Section 67 I.T. Act and Section 3(1)Da, Dha, 3(2)(5A) of SC/ST Act, Police Station-Campiorganj, District Gorakhpur, on the basis of compromise between the parties.
3. The parties before this Court have 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. It is further submitted that in compliance of the order of this Court dated 29.1.2026, the compromise deed submitted by the parties has been verified by the Special Judge SC/ST Act, Gorakhpur vide order dated 13.3.2026. Further record discloses that verification report dated 13.3.2026 has also been received, which is on record.
4. Learned counsel for the appellants has submitted before this Court that the compromise entered into between the parties has been made without any coercion or undue influence upon the informant of this case and is a result of free will and consent of the parties.
5. It appears from perusal of the record that the present case is having a

nature of purely private dispute and prima facie it also appears that the alleged offence has not been committed on account of the caste of the informant and except some offence under SC/ST Act, minor offences have been levelled against the accused. Further, the compromise between the parties is the result of free will and consent of the informant-opposite party no. 2 without any undue influence.

6. The question as to whether a compromise can be verified and accepted in a case relating to an offence under SC/ST Act has been answered by the Supreme Court in the case of **Ramawatar Vs. State of M.P. (2022) 13 SCC 635**. Paragraph no. 17 of the said judgment is quoted herein below:-

"17. On the other hand, where it appears to the Court that the offence in question, although covered under the SC/ST Act, is primarily private or civil in nature, or where the alleged offence has not been committed on account of the caste of the victim, or where the continuation of the legal proceedings would be an abuse of the process of law, the Court can exercise its powers to quash the proceedings. On similar lines, when considering a prayer for quashing on the basis of a compromise/settlement, if the Court is satisfied that the underlying objective of the Act would not be contravened or diminished even if the felony in question goes unpunished, the mere fact that the offence is covered under a "special statute" would not refrain this Court or the High Court, from exercising their respective powers under Article 142 of the Constitution or Section 482 Cr.P.C."

7. It has been further held in paragraph no. 19 of the said judgment, which is quoted herein under:-

"19. We may hasten to add that in cases such as the present, the Courts ought to be even more vigilant to ensure that the complainant-victim has entered into the compromise on the volition of his/her free will and not on account of any duress. It cannot be understated that since members of the Scheduled Caste and Scheduled Tribe belong to the weaker sections of our country, they are more prone to acts of coercion, and therefore ought to be accorded a higher level of protection. If the Courts find even a hint of compulsion or force, no relief can be given to the accused party. What factors the Courts should consider, would depend on the facts and circumstances of each case".

8. A perusal of the Full Bench judgment in the case of **Ghulam Rasool Khan And Others vs State Of U.P And Another, 2022 (8) ADJ 691** reveals that a matter under the SC/ST Act may be compounded in a criminal appeal under section 14-A(1) of SC/ST Act and there is no need to take recourse of U/s. 482 Cr.P.C. for the same.

9. In view of the aforesaid, this Court finds that since the parties have entered into compromise which has already been verified by the trial court, the entire proceedings of criminal case emanating from the impugned cognizance/summoning order dated 28.07.2025 passed by the Court of learned Special Judge, SC/ST Act, Gorakhpur, as well as entire proceeding in Session Case No.1889 of 2025 (State Vs. Mukesh Gupta) and Charge-Sheet dated 30.11.2024 arising out of Case Crime No. 667 of 2024, under Section 77, 78, 352, 351(3) B.N.S. and Section 67 I.T. Act and Section 3(1)Da, Dha, 3(2)(5A) of SC/ST Act, Police Station-Campiorganj, District Gorakhpur, are hereby quashed and the present criminal appeal is **allowed** in terms of compromise entered into between both the parties.

March 17, 2026

Ujjawal

(Anil Kumar-X,J.)