



2026:AHC-LKO:20583

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

APPLICATION U/S 482 No. - 1226 of 2009

Dr.Mukesh Kanchhal

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Khaleeq Ahmad Khan, Ajai Kumar Singh, Ajeet Kumar Yadav, Arun Sinha, D.K.Arya, Dr. Shipra Tripathi, Gayatri Singh, M.M.Salam, S.K.Ahmad, Shobhit Singh, Siddhartha Sinha

Counsel for Opposite Party(s) : G.A., Chandra Bhanu Singh, Kr. Udai Bhan Singh, R.P. Shukla

Court No. - 16

HON'BLE BRIJ RAJ SINGH, J.

(I.A. No.16 of 2025-Recall)

1. Heard learned counsel for the parties.
2. This is an application for recall of the order dated 10.11.2025.
3. Reasons indicated in the affidavit filed along with the application are sufficient.
4. Application is ***allowed*** and the order dated 10.11.2025 is recalled. The application is restored to its original number.

(Order on Application)

5. Heard learned counsel for the applicants, learned A.G.A. for the State and Sri Chandra Bhanu Singh, learned counsel for opposite party no.2.
6. The present application has been filed seeking quashing of the entire proceedings of Criminal Case No.860 of 2008 (Daya Shankar Pandey vs. Dr. Mukesh Kanchhal and others), pending in the court of Second Additional Chief Judicial Magistrate, Raebareli including the complaint

dated 26.11.2007, summoning order dated 21.7.2008 and order dated 25.3.2009.

7. Learned counsel for the applicants submits that parties do not want to pursue the case any further and they have entered into compromise before the Delhi High Court in FAO No.233 of 2019 (Daya Shankar Pandey vs. Trust Line Securities Ltd.) and the said case was disposed of on the basis of compromise vide order dated 15.9.2022. The compromise deed dated 15.10.2019 has been filed along with the application dated 13.3.2024 for recall of the order dated 23.11.2022 (I.A. No.9 of 2024).

8. Learned counsel for opposite party no.2 has also not denied the aforesaid facts. On instructions received from opposite party no.2, he submits that he has no objection, if the proceedings against the applicant in the aforesaid case are quashed on the basis of the compromise.

9. Learned A.G.A. has fairly conceded that compromise has been effected between the parties and the same has duly been verified by the trial court.

10. The Supreme Court while considering the question of quashing the criminal proceedings on the basis of compromise arrived at between the parties has held that the Court can use its inherent power to do real and substantial justice and to speed up the process of ending the criminal proceedings where the settlement is arrived at between the parties in the cases of ***B.S. Joshi and others Vs. State of Haryana and another***, (2003)4 SCC 675; ***Nikhil Merchant Vs. Central Bureau of Investigation***, (2008) 9 SCC 677; ***Manoj Sharma Vs. State and others***, (2008) 16 SCC 1 ; ***Gian Singh Vs. State of Punjab***, (2012) 10 SCC 303; ***Narindra Singh and others Vs. State of Punjab***, (2014) 6 SCC 466; ***State of M.P. Vs. Laxmi Narayan and others***, AIR 2019 SC 1296 and ***Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others Vs. State of Gujarat and another***, (2017) 9 SCC 641.

11. In view of the aforesaid and the fact that parties do not want to pursue the case any further; the matter is purely of personal nature, which has been mutually settled between the parties by way of the compromise, therefore, no useful purpose would be served in proceeding with the matter further.

12. Application is accordingly ***allowed*** and the entire and all consequential proceedings of Criminal Case No.860 of 2008 (Daya Shankar Pandey vs. Dr. Mukesh Kanchhal and others), pending in the court of Second Additional Chief Judicial Magistrate, Raebareli including the complaint dated 26.11.2007, summoning order dated 21.7.2008 and order dated 25.3.2009, are hereby quashed qua the applicants.

(Brij Raj Singh,J.)

March 20, 2026

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