



2026:AHC-LKO:21807

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

APPLICATION U/S 482 No. - 2561 of 2026

Shivendra Kumar Shukla In Fir Sivendra Shukla @
Chhote Bhaiya

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Deptt. Lko.
And Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Ram Vishal Tripathi, Mukut Bihari
Tripathi

Counsel for Opposite Party(s) : G.A.

Court No. - 16

HON'BLE SHREE PRAKASH SINGH, J.

1. Sri Atul Kumar Mishra, advocate, has put in appearance by way of filing vakalatnama on behalf of opposite party no. 2 and the same is taken on record.

2. Heard learned counsel for the applicant, Sri Atul Kumar Mishra, learned counsel for opposite party no. 2, learned A.G.A. for the State and perused the record.

3. Instant application under Section 482 Cr.P.C. (now under Section 528 B.N.S.S.) has been filed with prayer for quashing of the entire criminal proceedings of Criminal Misc. Case No. 3372 of 2021 (State V/s Shivendra Shukla @ Chhote Bhaiya and others) in pursuance of the impugned charge-sheet dated 02/05/2020 arising out of Case Crime No. 0036 of 2020, under Section 365, 323, 341 & 427 I.P.C., Police Station – Colonelganj, District – Gonda, as well as the impugned summoning order dated 01/03/2021 (as per summoning order 800/2021) passed by Chief Judicial Magistrate, Gonda on the basis of compromise settled by the parties outside of the court, pending in the court concerned.

4. Learned counsel appearing for the applicant submits that the applicant is innocent and has falsely been implicated in the instant case. He next added that under some misunderstanding, the instant F.I.R. has been lodged against

the applicant and thereafter, the parties have amicably compromised their dispute. The compromise deed has been reduced in writing on 18.03.2026, which has been annexed as annexure no. 4 to the instant application. He next added that now there is no grievance in between the parties with each other and the criminal proceedings against the applicant are the futile exercise as there is no fate of trial and that is amount to harassment of the applicant and thus, the criminal proceedings against the applicant may be quashed.

5. On the other hand, learned counsel appearing for the opposite parties has supported the version of the learned counsel for the applicant and submits that the parties have settled their dispute amicably through a compromise deed and there is no further grievance of the opposite parties against the present applicant and the criminal proceedings against the applicant may be dropped.

6. Learned A.G.A. appearing for the State has no objection to the contentions aforesaid.

7. Now whether the parties have, in fact, compromised the matter or not, can best be ascertained by the court below as such compromise has to be duly verified in presence of the parties concerned before the Court.

8. Accordingly, this application is **disposed of** with a direction to the court concerned that if any such compromise is filed before it, it shall issue notices to all the signatories to the compromise requiring their personal presence and, thereafter, proceed to verify the compromise. If the aforesaid compromise is verified, a report to that effect shall be prepared by the court and the compromise will be made part of the record.

9. The court in that scenario will allow the parties to obtain certified copy of the report as well as compromise and it will be open to the applicant to approach this Court again for quashing of the proceedings.

10. For a period of three months, the proceedings initiated in pursuance of the Criminal Misc. Case No. 3372 of 2021 (State v/s Shivendra Shukla @ Chhote Bhaiya and others) in pursuance of the impugned charge-sheet dated 02/05/2020 arising out of Case Crime No. 0036 of 2020, under Section 365, 323, 341 & 427 I.P.C., Police Station – Colonelganj, District – Gonda, as

well as the impugned summoning order dated 01/03/2021 shall remain stayed so far as the applicant is concerned.

11. The trial Court is directed to examine the fact that whether all the parties against whom the chargesheet was filed, the party in the compromise and in this respect, it shall also sent a report along with the verification order.

12. Office is directed to return the original compromise deed to the learned counsel for the applicant, if any, after taking the photocopy of the same.

(Shree Prakash Singh,J.)

March 26, 2026

Raj