



2026:AHC-LKO:22171

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

APPLICATION U/S 482 No. - 3174 of 2025

Mohd. Asif And Another

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Deptt. Of Home
And 2 Others

.....Opposite
Party(s)

Counsel for Applicant(s) : Pradeep Kumar Tripathi

Counsel for Opposite Party(s) : G.A., Abdul Malik, Akhlaq Ali, Amar
Singh, Rizwan Ahmad

Court No. - 16

HON'BLE SHREE PRAKASH SINGH, J.

Heard learned counsel for the applicants, learned counsel for the State, Mr. Akhlaq Ali, learned counsel for the opposite parties no. 2 & 3 and perused the record.

By means of the instant application, the applicants have prayed for quashing of the Charge Sheet No. 01 of 2024 Dated 8.3.2024 arising of Case Crime No. 0274 of 2023 under section 498A, 323, 504, 506 IPC and section 3/4 of Dowry Prohibition Act, Police Station Talkatora, District- Lucknow as well as for quashing of the summoning order dated 23.12.2024 passed by the Additional Chief Judicial Magistrate VI Court No. 30, Lucknow in Criminal Case No.128628 of 2024 "State Versus Mohd. Asif & others" as well a quashing of whole criminal proceeding of Criminal Case No.128628 of 2024 "State Versus Mohd. Asif & others" pending in the court of Additional Chief Ju Magistrate VI, Court No. 30, Lucknow.

Learned counsel appearing for the applicants submits that instant matter is arising out of a matrimonial dispute and due to some misunderstanding the instant FIR was lodged and thereafter the parties sat together and they have settled their dispute and that too has been reduced in writing as a compromise deed dated

06.09.2025. Adding his arguments, he submits that now the parties have put their all disputes at rest by way of executing compromise deed and thus further criminal proceedings against the present applicants would be a futile exercise and amount to harassment of the applicants.

Adding his arguments, he also submits that this Hon'ble Court vide order dated 26.02.2026 has referred the matter for compromise verification in Application U/S 482 Cr.P.C./528 of B.N.S.S. bearing No. 3174 of 2025 and in compliance of the aforesaid order, both the parties have appeared before the court below and the compromise deed dated 06.09.2025 has been verified in presence of all concerned parties and the order of verification was passed on 13.03.2026 by the learned Additional Chief Judicial Magistrate-III, Court No. 27, Lucknow. He next added that now the matter has been compromised between the parties, and as such the proceedings of Criminal Case No. 128628 of 2024 (State of U.P. versus Mohd. Asif & Others) arising out of Case Crime No. 274 of 2023, under Sections 323,504,506 of I.P.C and section 3/4 of the Dowry Prohibition Act, Police Station-Talkatora, District -Lucknow may be quashed.

On the other hand, learned counsel for the opposite parties no.2 & 3 has also supported the version of the applicants and submits that the parties have entered into compromise deed and now there is no dispute in between the parties and thus the criminal proceeding against the applicant may be dropped.

On the other hand, learned AGA appearing for the State has no objection to the contentions aforesaid.

Considering the aforesaid submissions of the learned counsel for the parties, I find that compromise has been entered into between the parties on 06.09.2025 and said compromise has been verified on 13.03.2026 and, now, as per the statement of learned counsel for the parties, they do not want to press the aforementioned State versus Mohd. Asif & Others, arising out of aforementioned Case

Crime No.274 of 2023.

In view of the above, as the applicants and opposite parties have entered into compromise on 06.09.2025 and no grievance remains to be agitated and as such, further criminal proceedings in the aforementioned criminal case are liable to be set aside in view of the Judgements of the Apex Court rendered in **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; and Narindra Singh and others Vs. State of Punjab (2014) 6 SCC 466.**

Resultantly, proceedings of proceedings of Criminal Case No. 128628 of 2024 (State of U.P. versus Mohd. Asif & Others) arising out of Case Crime No. 274 of 2023, under Sections 323,504,506 of I.P.C and section 3/4 of the Dowry Prohibition Act, Police Station-Talkatora, District -Lucknow, are hereby **quashed**.

The compromise deed shall be part of this order.

Consequences to follow.

The application is **allowed** accordingly.

(Shree Prakash Singh,J.)

March 30, 2026

AKS