



2026:AHC:128594

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 3726 of 2026

Vivek Badal @ Babli Badal

.....Appellant(s)

Versus

State of U.P. and Another

.....Respondent(s)

Counsel for Appellant(s)	:	Hirdesh Kumar Yadav, Sushma Yadav
Counsel for Respondent(s)	:	Rajesh Prasad Yadav, G.A.

Court No. - 67

HON'BLE SAMEER JAIN, J.

1. Heard Sri Hirdesh Kumar Yadav, learned counsel for appellant, Sri Pankaj Kumar Singh, learned Advocate holding brief of Sri Rajesh Prasad Yadav, learned counsel for opposite party no.2 and Sri Rajeev Dhar Dwivedi, learned AGA for the State.
2. The instant appeal has been filed by the appellant with a prayer to set aside the cognizance and summoning order dated 27.02.2026 passed by Special Judge (SC/ST) Act in Special Sessions Trial No. 33 of 2026 as well as charge-sheet No.A01 of 2025 dated 08.12.2025 arising out of Case Crime No. 156 of 2025, under Sections 352, 351(2), 115(2) BNS and Section 3(2)5A SC/ST (P.A.)Act, Police Station Ait, District Jalaun at Orai.
3. Learned counsel for appellant submits, by way of instant appeal appellant challenged the summoning order dated 27.02.2026 passed by the court concerned as well as charge-sheet filed against the appellant. He next submits, charge-sheet has been filed against the appellant for offence punishable under Section 352, 351(2), 115(2) BNS and Section 3(2)5A SC/ST Act.
4. He further submits, after submission of the charge-sheet on 13.03.2026 matter has been compromised between the parties and compromise executed between the parties has been annexed at page-53 of the paper-book. He next submits, the compromise executed between the parties has now been verified by the court concerned and verification report is on record.
5. He further submits, present matter relates to SC/ST Act which is special Act but in view of the Apex Court in the case of **Ramawatar Vs. State of**

M.P. (2022) 13 SCC 635 even in cases of SC/ST Act on the basis of compromise this Court can quash the proceedings.

6. He further submits, the present dispute appears to be personal dispute and on the basis of compromise executed between the parties the proceedings pending against appellant should be quashed. He further submits, therefore, instant appeal may be allowed and on the basis of compromise executed between the parties proceeding pending against appellant may be quashed.

7. Per contra, learned AGA opposed the prayer but could not dispute the fact that after submission of the charge-sheet both the parties have compromised the matter and even compromise executed between the parties have been duly verified by the court concerned.

8. Learned AGA further submits, as both the parties have settled the dispute out of the Court, therefore, State is having no objection if proceeding pending against appellant is quashed on the basis of compromise executed between the parties.

9. Learned counsel appearing on behalf of opposite party no.2 also conceded the fact that matter between the parties have been settled and in this regard compromise executed between the parties has been duly verified by the court concerned. He next submits, even opposite party no.2 is having no objection if on the basis of compromise the proceeding pending against appellant is quashed.

10. I have heard both the parties and perused the record of the case.

11. By way of instant appeal appellant challenged the impugned summoning order dated 27.02.2026 passed against him as well as charge-sheet filed against him on the ground that after submission of the charge-sheet on 13.03.2026 both the parties have settled their dispute out of the Court and in this regard compromise was also executed between both the parties.

12. Record suggests that the compromise executed between the parties have been annexed at page-53 of the paper-book and this compromise has been duly verified by the court concerned and report of the court concerned dated 08.06.2026 is on record.

13. Further, however, present matter relates to provisions of SC/ST Act which is special Act but in view of law laid down by the three judges Bench

of the Apex Court in the case of Ramawatar (supra) even in cases relating to SC/ST Act in appropriate cases on the basis of compromise executed between accused and informant proceeding pending against the accused can be quashed and this power can also be exercised by this Court in appeal filed under Section 14A(1) SC/ST Act.

14. Considering the nature of allegation leveled against appellant, in view of this Court there is no good reason on the basis of which the prayer made by appellant may be refused. In view of this Court considering the nature of allegation leveled against appellant on the basis of compromise executed between the parties, the proceeding pending against appellant may be quashed.

15. Therefore, considering the facts and circumstances of the case discussed above, the summoning order dated 27.02.2026 passed against appellant and proceeding pending against him is hereby quashed on the basis of compromise executed between the parties.

16. Accordingly, the instant appeal stands **allowed**.

June 22, 2026
AK Pandey

(Sameer Jain,J.)