



2026:AHC:125163

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 23206 of 2026

Tariq Saqlaini And 3 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Dhirendra Kumar
Counsel for Opposite Party(s)	:	G.A.

Court No. - 34

HON'BLE CHAWAN PRAKASH, J.

1. Sri Rakesh Pati Tiwari, Advocate filed Vakalatnama on behalf of opposite party No.2, is taken on record.

2. Heard Sri Dhirendra Kumar, learned counsel for applicants, Sri Rakesh Pati Tiwari, learned counsel for opposite party No.2 and learned AGA for the State.

3. The applicants have invoked the inherent jurisdiction of this Court under Section 528 BNSS to quash the impugned charge sheet dated 27.2.2019 and cognizance order dated 17.9.2019 as well as entire proceeding of Sessions Trial No. 308 of 2012 (State Vs. Deenu @ Abdul and others), arising out of Case Crime No.627 of 2018, under Sections 147, 148, 307, 452, 323, 506 I.P.C., P.S. Prem Nagar, District Bareilly, pending in the court of Additional District & Sessions Judge, Court No.13, Bareilly.

4. Learned counsel for the applicants submitted that applicants and opposite party no.2 have amicably settled their dispute out of the Court. Applicants approached this Court by filing this 528 BNSS application with prayer to quash the proceedings on terms of compromise entered between the parties, the co-ordinate Bench of this Court vide order dated 27.9.2024 passed in Application U/S 482 No.31880 of 2024 directed the parties to appear before the trial court for verification of the parties and compromise application. Trial court vide order dated 20.1.2025 verified the parties as well as compromise application. He further submitted that applicants and opposite party no.2 compromised the matter and opposite

party No.2 does not want to proceed the matter against the applicants. He further submitted that applicants and opposite party no.2 have settled through compromise their dispute and as such opposite party no.2 does not wish to press the aforesaid case against the applicants. Opposite party no.2 is ready to withdraw the prosecution of the applicants and in view of the compromise, no fruitful purpose would be served if the prosecution is allowed to go on.

5. Learned counsel appearing for the opposite party no.2 does not dispute the correctness of the submission made by learned counsel for the applicants or the correctness of the documents relied upon by him. He submits that opposite party no. 2 has no objection, if the proceedings in the aforesaid case are quashed.

6. Learned AGA submitted that both the parties have settled their dispute out of the court, hence, no reason to proceed further.

7. The Hon'ble Apex Court in the case of **Narindra Singh and others Vs. State of Punjab, (2014) 6 SCC 466, Parbatbhai Aahir @ Parbatbhai Vs. State of Gujarat (2017) 9 SCC, 641, Gian Singh Vs. State of Punjab (2012) 10 SCC 303 and State of M.P. Vs. Laxmi Narayanan (2019) 5 SCC 688**, wherein Hon'ble Apex Court has categorically held that compromise can be made between the parties even in respect of certain cognizable and non-compoundable offences. Reference may also be made to the decision given by this Court in **Shaifullah and others Vs. State of U.P. and another [2013 (83) ACC 278]**, in which, law expounded by the Hon'ble Apex Court in the aforesaid cases has been explained in detail.

8. Considering the facts and circumstances of the case, as noted herein above, and also the submissions made by learned counsel for the parties, this Court is of the considered opinion that no useful purpose would be served by prolonging the proceedings of the above mentioned case.

9. Accordingly, the proceedings of impugned charge sheet dated 27.2.2019 and cognizance order dated 17.9.2019 as well as entire proceeding of Sessions Trial No. 308 of 2012 (State Vs. Deenu @ Abdul and others), arising out of Case Crime No.627 of 2018, under Sections 147, 148, 307, 452, 323, 506 I.P.C., P.S. Prem Nagar, District Bareilly is

hereby quashed in respect of present applicants.

10. This application under Section 528 B.N.S.S. is accordingly **allowed**.

(Chawan Prakash,J.)

June 3, 2026

Md Faisal