



2026:AHC:64160

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 7248 of 2023

Firoz And Another

.....Appellant(s)

Versus

State of U.P. and Another

.....Respondent(s)

Counsel for Appellant(s)	:	Anil Kumar
Counsel for Respondent(s)	:	G.A.

Court No. - 53

HON'BLE ABDUL SHAHID, J.

1. Heard learned counsel for the petitioner and Sri Sunil Kumar Singh, learned counsel for the opposite party no. 2.

2. This criminal appeal under Section 14-A(1) of The Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been filed against the cognizance/summoning order dated 26.02.2021 issued by Exclusive Special Judge (SC/ST Act), Kasganj and the charge sheet No. 44/2021 dated 10.02.2021 as well as entire proceeding of Special Case No. 185 of 2021 (State Vs. Firoz and others) arising out Case Crime No.440 of 2020 Under Sections 279, 338, 504, 506 I.P.C. and Section 3(1)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 (Amendment 2015), Police Station-Sahawar, District-Kasganj pending in the Court of Special Judge SC/ST Act, Kasganj.

3. The parties before this Court have made a request that they have entered into a compromise in this matter and have settled all the disputes between them and now they do not want to proceed with this matter. It is further submitted that in compliance of the order of this Court dated 22.09.2023, the compromise deed submitted by the parties has been verified by the Special Judge, (SC/ST Act), Kasganj. Further record discloses that verification report dated 25.10.2023 has also been received, which is on record.

4. Learned counsel for the appellants has submitted before this Court that the compromise entered into between the parties has been made without any coercion or undue influence upon the informant of this case and is a result of

free will and consent of the parties.

5. It appears from perusal of the record that the present case is having a nature of purely private dispute and prima facie it also appears that the alleged offence has not been committed on account of the caste of the informant and except some offence under SC/ST Act, minor offences have been levelled against the accused. Further, the compromise between the parties is the result of free will and consent of the informant-opposite party no. 2 without any undue influence.

6. The question as to whether a compromise can be verified and accepted in a case relating to an offence under SC/ST Act has been answered by the Supreme Court in the case of **Ramawatar Vs. State of M.P. (2022) 13 SCC 635**. Paragraph no. 17 of the said judgment is quoted herein below:-

"17. On the other hand, where it appears to the Court that the offence in question, although covered under the SC/ST Act, is primarily private or civil in nature, or where the alleged offence has not been committed on account of the caste of the victim, or where the continuation of the legal proceedings would be an abuse of the process of law, the Court can exercise its powers to quash the proceedings. On similar lines, when considering a prayer for quashing on the basis of a compromise/settlement, if the Court is satisfied that the underlying objective of the Act would not be contravened or diminished even if the felony in question goes unpunished, the mere fact that the offence is covered under a "special statute" would not refrain this Court or the High Court, from exercising their respective powers under Article 142 of the Constitution or Section 482 Cr.P.C."

7. It has been further held in paragraph no. 19 of the said judgment, which is quoted herein under:-

"19. We may hasten to add that in cases such as the present, the Courts ought to be even more vigilant to ensure that the complainant-victim has entered into the compromise on the volition of his/her free will and not on account of any duress. It cannot be understated that since members of the Scheduled Caste

and Scheduled Tribe belong to the weaker sections of our country, they are more prone to acts of coercion, and therefore ought to be accorded a higher level of protection. If the Courts find even a hint of compulsion or force, no relief can be given to the accused party. What factors the Courts should consider, would depend on the facts and circumstances of each case".

8. A perusal of the Full Bench judgment in the case of **Ghulam Rasool Khan And Others vs State Of U.P And Another, 2022 (8) ADJ 691** reveals that a matter under the SC/ST Act may be compounded in a criminal appeal under section 14-A(1) of SC/ST Act and there is no need to take recourse of U/s. 482 Cr.P.C. for the same.

9. In view of the aforesaid, this Court finds that since the parties have entered into compromise which has already been verified by the trial court, the entire proceedings of cognizance/summoning order dated 26.02.2021 issued by Exclusive Special Judge (SC/ST Act), Kasganj and the charge sheet No. 44/2021 dated 10.02.2021 as well as entire proceeding of Special Case No. 185 of 2021 (State Vs. Firoz and others) arising out Case Crime No.440 of 2020 Under Sections 279, 338, 504, 506 I.P.C. and Section 3(1)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 (Amendment 2015), Police Station-Sahawar, District-Kasganj pending in the Court of Special Judge SC/ST Act, Kasganj, are hereby quashed and the present criminal appeal is allowed in terms of compromise entered into between both the parties.

(Abdul Shahid,J.)

March 26, 2026

K.K. Maurya