



2026:AHC:60680

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 39802 of 2025

Ajay Verma And 2 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Shatrughan Yadav
Counsel for Opposite Party(s)	:	G.A., Vinay Kumar

Court No. - 78

HON'BLE NAND PRABHA SHUKLA, J.

1. Heard Mr. Shatrughan Yadav, learned counsel for the applicants, Mr. Vijay Kumar Singh, learned counsel for the opposite party No. 2, learned A.G.A. for the State and perused the record.

2. The present application under Section 528 B.N.S.S. has been preferred to allow the present application and quash the criminal proceeding and the charge sheet dated 21.12.2024, under Sections 110, 85, 115(2), 352, 351(2), 117(2) B.N.S. against the applicant No. 1 and under Sections 110, 85, 115(2), 352, 351(2) B.N.S. against the applicant Nos. 2 and 3 in Case Crime No. 344 of 2024, Police Station-Bhatani, District-Deoria, Case No. 8310 of 2025 (State Vs. Puja Verma and others) pending before Civil Judge (Senior Division)/F.T.C. 1st/A.C.J.M. Deoria, District-Deoria on the basis of compromise dated 21.08.2025 between the parties and to quash the cognizance order/summoning order dated 18.07.2025 passed by the Civil Judge (Senior Division)/F.T.C. 1st/A.C.J.M. Deoria under Sections 110, 85, 115(2), 352, 351(2), 117(2) B.N.S. against the applicant No. 1 and under Sections 110, 85, 115(2), 352, 351(2) B.N.S. against the applicant Nos. 2 and 3 in the aforesaid Case Crime.

3. Learned counsel for the applicants submits that a matrimonial dispute pending between the applicants and the opposite party No. 2 and was referred for mediation by the Division Bench of this Court in Criminal Misc. Writ Petition No. 22144 of 2024 wherein the dispute has been settled between the parties through Settlement Agreement dated 15.04.2025 by the Mediation and Conciliation Centre of this Court.

4. Learned counsel for the applicants submits that the present dispute arises out of matrimonial discord between the applicants and the opposite party No. 2. It is also argued that the parties have willingly entered into a settlement and not under duress or threat or coercion and are not interested in pursuing the matter pending in the Court concerned and, therefore, the impugned proceedings be quashed on the ground of compromise between the parties and they do not propose to file the counter affidavit and rejoinder affidavit.

5. Learned counsel for the opposite party No. 2 admits the arguments of learned counsel for the applicants and states that he has no objection if the impugned proceeding pending against the applicants, is quashed.

6. Learned A.G.A. also does not dispute the correctness of the submissions made by the learned counsel for both the parties.

7. The law with regard to quashing of a case on the basis of settlement arrived between the parties, is well settled.

8. In the light of the judgment of Hon'ble Apex Court in **B.S. Joshi and Others Vs. State of Haryana and another, (2003) 4 SCC 675**, it has been held that *"High Courts have the inherent power under Section 482 of the Criminal Procedure Code (Cr.P.C.) to quash First Information Reports (FIRs) and criminal proceedings, particularly in matrimonial disputes where a genuine settlement has been reached between the parties. The Court clarified that Section 320 Cr.P.C., which lists compoundable offences, does not restrict this power, and exercising it is crucial for promoting amicable settlements and serving the ends of justice, even if the offences are otherwise non-compoundable."*

9. The Hon'ble Supreme Court in its Constitutional Bench Judgment in **Gian Singh Vs. State of Punjab and Another, (2012) 10 SCC 303**, has held that *"But the criminal cases having overwhelmingly and pre-dominantly civil flavour stand on different footing for the purposes of quashing, particularly the offences arising from commercial, financial, mercantile, civil, partnership or such like transactions or the offences arising out of matrimony relating to dowry, etc. or the family disputes where the wrong is basically private or personal in nature and the parties have resolved their entire dispute. In this category of cases, High Court may quash criminal proceedings if in its view, because of the compromise between the offender and victim, the possibility of conviction is remote and bleak and continuation of criminal case would put accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal case despite full and complete settlement and compromise with the victim."*

10. The Hon'ble Supreme Court in **Parbatbhai Ahir alias Parbatbhai Bhimsinhbhai Karmur and others vs. State of Gujarat and another, (2017) 9 SCC 641** has laid down broad principles of quashing the criminal proceedings in exercise of inherent jurisdiction on the ground that "*even in the non compoundable cases on the basis of compromise, criminal proceedings can be quashed so that valuable time of the court can be saved and utilized in other material cases.*"

11. The parties have agreed to withdraw the proceedings pending amongst them in Court concerned. From perusal of the records and the law as cited above, the present case is a good case for exercise of power by the Court to quash summoning order as well as entire proceedings.

12. The dispute appears to be purely of a matrimonial in nature that has been mutually settled between the parties to their entire satisfaction, therefore, no useful purpose would be served in allowing the prosecution to continue any longer.

13. The present application for quashing filed under Section 528 B.N.S.S. comes within the parameters as laid down by the Hon'ble Supreme Court in **Pradeep Kumar Kesarwani Vs. State of Uttar Pradesh & Another**, Criminal Appeal No. 3831 of 2025, SLP (Crl.) No. 11642 of 2019 dated 02.09.2025.

14. In view of above, the entire proceedings in Case No. 8310 of 2025 (State Vs. Puja Verma and others) arising out of Case Crime No. 344 of 2024 under Sections 110, 85, 115(2), 352, 351(2), 117(2) B.N.S. against the applicant No. 1 and under Sections 110, 85, 115(2), 352, 351(2) B.N.S. against the applicant Nos. 2 and 3, Police Station-Bhatani, District-Deoria, are hereby quashed.

15. The present application under Section 528 B.N.S.S. is, accordingly, **allowed.**

March 24, 2026
Shivani

(Nand Prabha Shukla,J.)