



2026:AHC:55529

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 48139 of 2025

Rajiv Pachori

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ravikant Shukla
Counsel for Opposite Party(s)	:	G.A., Om Prakash Prajapati

Court No. - 80

HON'BLE CHAWAN PRAKASH, J.

1. Supplementary affidavit has been filed by opposite party no. 2, which is taken on record.
2. Heard Sri Ravikant Shukla, learned counsel for the applicant, learned A.G.A. for the State and Sri Om Prakash Prajapati, learned counsel for the opposite party no. 2 and perused the record.
3. The present application under Section 528 B.N.S.S. has been filed for quashing the impugned summoning order dated 19.09.2024 passed by the learned Additional Special Judge (D.A.A.) Act, District Jhansi in Case No. 49 of 2022 (Mukesh Prajapati Vs. Rajiv Pachori and others), under Sections 323, 342, 384 I.P.C., Police Station Kotwali, District Jhansi, pending before the additional Special Judge (D.A.A.), District Jhansi.
4. The parties before this Court had 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.
5. Learned counsel for the applicant has submitted 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.
6. Learned counsel for the opposite party no. 2 could not dispute the arguments as aforesaid and states that he has no objection if the impugned

proceeding pending against the applicant is quashed.

7. A coordinate Bench of this Court vide order dated 07.01.2026 directed the learned trial court to verify the compromise deed in presence of both the parties and in compliance of the order dated 07.01.2026 passed by this Court, learned trial court submitted its verification report dated 24.02.2026 to this Court.

8. It appears from perusal of the record that the compromise between the parties is the result of free will and consent of the complainant-opposite party no. 2 without any coercion or undue influence.

9. In view of that, this Court finds that since the parties have entered into compromise which has already been verified by the trial court, now nothing rests in this matter to continue.

10. The law with regards to quashing of a case on the basis of settlement arrived between the parties, is well settled. The Apex Court in the cases of **(1) B.S. Joshi and others Vs. State of Haryana and another: (2003)4 SCC 675; (2) Nikhil Merchant Vs. Central Bureau of Investigation : (2008) 9 SCC 677; (3) Manoj Sharma Vs. State and others: (2008) 16 SCC 1; (4) Gian Singh Vs. State of Punjab: (2012) 10 SCC 303; (5) Shaifullah and others Vs. State of U.P. And another: 2013 (83) ACC 278 and (6) Parbatbhai Ahir@Parbatbhai @ Bhimsinbhai Karmur and others Vs. State of Gujarat and another: (2017) 9 SCC 641** has held that the cases in which the parties have settled their grievances can be quashed.

11. The law is well-settled by the Apex Court on the subject matter, the present case is a good case for exercising powers by this Court to quash the impugned summoning order dated 19.09.2024 passed by the learned Additional Special Judge (D.A.A.) Act, District Jhansi in Case No. 49 of 2022 (Mukesh Prajapati Vs. Rajiv Pachori and others), under Sections 323, 342, 384 I.P.C., Police Station Kotwali, District Jhansi, pending before the additional Special Judge (D.A.A.), District Jhansi.

12. Accordingly, the present application is **allowed**.

13. Hence, impugned summoning order dated 19.09.2024 passed by the

learned Additional Special Judge (D.A.A.) Act, District Jhansi in Case No. 49 of 2022 (Mukesh Prajapati Vs. Rajiv Pachori and others), under Sections 323, 342, 384 I.P.C., Police Station Kotwali, District Jhansi, pending before the additional Special Judge (D.A.A.), District Jhansi are, hereby, **quashed** in terms of the compromise.

(Chawan Prakash,J.)

March 18, 2026

Rmk.