



2026:AHC:61913

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 36210 of 2025

Vivek Singh Rana

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Krishna Dutt Tiwari
Counsel for Opposite Party(s)	:	Narsingh Pandey, G.A.

Court No. - 83

HON'BLE SANJIV KUMAR, J.

1. Heard Mr. Krishna Dutt Tiwari, learned counsel for the applicant, learned AGA for the State and Mr. Narsingh Pandey, learned counsel for opposite party no. 2 and perused the record.

2. This application under Section 528 of BNSS has been filed for quashing the charge-sheet dated 06.09.2020 and cognizance/summoning order dated 21.11.2024 as well as entire proceeding of Criminal Case No. 6513 of 2024 (State Vs. Vivek Rana), arising out of Case No. 129 of 2020, under Sections 307 IPC, Police Station- Civil Line, District- Rampur, pending in the Court of learned C.J.M., Rampur, District Rampur.

3. Learned counsel for the applicant as well as opposite party No.2 jointly submitted that vide order dated 12.12.2025, a direction was given to the trial court concerned to verify the factum of compromise executed by the parties. In pursuance of the aforesaid order, both the parties appeared before the learned trial court and had verified the compromise.

4. Learned counsel for the applicant has filed a certified copy of order dated 13.01.2026 passed by learned C.J.M., Rampur, along with a copy of verified compromise, by way of a supplementary affidavit, which shows that both the parties appeared before the trial court and verified the compromise.

5. The matter relates to offence under Section 307 I.P.C. In this case, there is only one injured. A perusal of injury report and supplementary injury report shows that the victim sustained four injuries, which were simple in

nature. The assault is alleged to have been committed by running over the victim with a car.

6. The Hon'ble Supreme Court in **Naushey Ali and Others Vs. State of U.P. and Another (2025) 4 SCC 78** has held as under:-

"15.4. Offences under Section 307 IPC and the Arms Act, etc. would fall in the category of heinous and serious offences and therefore are to be treated as crime against the society and not against the individual alone, and therefore, the criminal proceedings for the offence under Section 307 IPC and/or the Arms Act, etc. which have a serious impact on the society cannot be quashed in exercise of powers under Section 482 of the Code, on the ground that the parties have resolved their entire dispute amongst themselves.

However, the High Court would not rest its decision merely because there is a mention of Section 307 IPC in the FIR or the charge is framed under this provision. It would be open to the High Court to examine as to whether incorporation of Section 307 IPC is there for the sake of it or the prosecution has collected sufficient evidence, which if proved, would lead to framing the charge under Section 307 IPC. For this purpose, it would be open to the High Court to go by the nature of injury sustained, whether such injury is inflicted on the vital/delicate parts of the body, nature of weapons used, etc.

However, such an exercise by the High Court would be permissible only after the evidence is collected after investigation and the charge-sheet is filed/charge is framed and/or during the trial. Such exercise is not permissible when the matter is still under investigation. Therefore, the ultimate conclusion in paras 29.6 and 29.7 of the decision of this Court in Narinder Singh should be read harmoniously and to be read as a whole and in the circumstances stated hereinabove;"

7. It is submitted on behalf of learned counsel for the parties that both the parties have reconciled their differences of their own freewill and wish, without any undue pressure, and are now living peacefully. The verified compromise deed and verification order of the learned trial court is on record.

8. Learned A.G.A. has fairly conceded that compromise has been effected between the parties and the same has duly been verified by the trial court.

9. Hon'ble Apex Court in catena of decisions has held that inherent power can be used to do real and substantial justice as has been held in ***Gian Singh Vs State of Punjab, 2012 AIR SCW 5333, B.S. Joshi and others Vs State of Haryana, (2003) 3 SCC 675 and Narinder Singh Vs State of Punjab, (2014) 6 SCC 466***. Hence, inherent power can be exercised to speed up the process of ending the criminal proceedings where the settlement is arrived at between the parties.

10. In view of the aforesaid facts and considering that the parties do not wish to pursue the case any further, keeping this case pending would be an abuse of process of law and also there are bleak chances of conviction in this case. The offence is private in nature with no wider social impact. Since it has been mutually settled between the parties by way of a compromise, no useful purpose would be served by proceeding with the matter further.

11. For the discussions made above, the present application is **allowed** and charge-sheet dated 06.09.2020 and cognizance/summoning order dated 21.11.2024 as well as entire proceeding of Criminal Case No. 6513 of 2024 (State Vs. Vivek Rana), arising out of Case No. 129 of 2020, under Sections 307 IPC, Police Station- Civil Line, District- Rampur, pending in the Court of learned C.J.M., Rampur, District Rampur, are hereby **quashed**.

(Sanjiv Kumar,J.)

March 25, 2026

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