



2026:AHC:65691

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 8131 of 2025

Smt. Shashi Devi And 2 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Ram Krishna Koli

Counsel for Opposite Party(s) : G.A., Harendra Yadav, Prabhat Singh

Court No. - 75

HON'BLE SAMIT GOPAL, J.

1. List revised.

2. Heard Sri Ram Krishna Koli, learned counsel for the applicants, Sri Virendra Pratap Singh, learned counsel for the State and perused the records. Sri Harendra Yadav and Sri Prabhat Singh, learned counsels for the opposite party no.2 are not present even when the matter is taken in the revised list.

3. The present application under Section 528 BNSS has been filed by the applicants- Smt. Shashi Devi, Daya Ram Shakya and Akash Shakya with the prayer to allow the present application and quash the entire proceeding as well as charge-sheet dated 14.12.2022 & cognizance order dated 18.11.2023 in Case No.157046 of 2023 (State Vs. Akash Shakya and others) arising out of Case Crime No.0476 of 2022, under Sections 498-A, 323, 504, 506 I.P.C. and Section 3/4 D.P. Act, Police Station Kalyanpur, District West (Commissionerate Kanpur Nagar), pending in the Court of Principal Judge, Family Court, Kanpur Dehat. It is further prayed that this Hon'ble Court may be pleased to stay the further proceeding of the aforesaid case, during the pendency of present application.

4. The matter was referred to the Mediation Centre of this Court vide order dated 23.05.2025 for making an effort between the parties for settling their disputes amicably.

5. As per report of Mediation Centre dated 12.09.2025 the parties have entered into settlement dated 10.09.2025 in view of Interim Settlement dated 27.08.2025 and have amicably settled their dispute and further agreed to withdraw the cases going on between them.

6. As per the office report dated 04.11.2025 a report from the Mediation Centre of this Court is on record.

7. From perusal of the report of Mediation Centre of this Court, it appears that in pursuance of the said order the mediation proceedings were taken up which ended in a settlement dated 10.09.2025 between the parties subject to the terms and conditions mentioned therein and the Mediation succeeded. The parties have settled their grievances and even the dispute arising out in the present matter. The parties have agreed to withdraw the cases going on between them, the said fact is mentioned in para 7(e) of the said mediation report.

8. 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.

9. From perusal of the records and the law laid down by the Apex Court on the subject matter, the present case is a good case for exercising powers by this Court to quash the proceedings as prayed for by the applicants.

10. The present application is **allowed**.

11. The proceedings of the present case as well as the summoning order/charge sheet are hereby quashed.

12. Pending application (s), if any, shall stand disposed of.

(Samit Gopal,J.)

March 26, 2026
S.A.