



2026:AHC:58835

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 3268 of 2025

Dost Mohamad Alias Gulalu And 3 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Raj Kumar Singh

Counsel for Opposite Party(s) : G.A., Mo Maksud Alam, Tabrez
Ahmad

Court No. - 82

HON'BLE PADAM NARAIN MISHRA, J.

1. Verification report has been filed by learned counsel for the applicants, which is taken on record.
2. The present application under Section 528 BNSS has been filed by the applicants seeking quashing of the entire proceedings of Criminal Case No. 190 of 2024 (State v. Dost Mohammad and others), arising out of Case Crime No. 123 of 2023, under Sections 323, 504, 506, 452 of IPC, Police Station Sorao, District Prayagraj as well as cognizance/summoning order dated 07.02.2024 passed by Additional Chief Judicial Magistrate, Court No. 9, Allahabad.
3. Learned counsel for both the parties submitted that the parties have settled their dispute by way of compromise dated 17.02.2026, which has been verified in pursuance of order dated 27.01.2026, passed by this Bench of the Court and the photo copies of certified copies of the verified compromise as well as verification proceedings have been filed by learned counsel for the applicants, which is on record.
4. Learned counsel for the opposite party no. 2 argued that as the parties have already arrived at amicable settlement on 17.02.2026 in the aforesaid case and, therefore, opposite party no. 2 is no more interested to pursue

the case any more against the applicants.

5. Heard learned counsel for the applicants and learned counsel for the Opposite Party No.2 and learned AGA for the State.

6. A three-Judge Bench of the Supreme Court in **Gian Singh v. State of Punjab & another, (2012) 10 SCC 303**, has observed that: (SCC p.340, para 58)

"58. Where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is resorted; securing the ends of justice being the ultimate guiding factor."

7. Keeping in mind the position of law, facts and circumstances of the case, the present application under Section 528 BNSS stands **allowed**

8. The entire proceedings of aforesaid Criminal Case, is hereby quashed.

9. This order is being passed by this Court after hearing the contesting parties. If at all, opposite party no. 2 feels that he has been duped or betrayed, then in that event, he may file recall application explaining the reasons for filing the said application.

10. The parties may file the certified copy of this order before the court concerned within six weeks from today.

(Padam Narain Mishra,J.)

March 19, 2026

v.k. updh.