



2025:AHC:175535

## HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 27548 of 2025

Sarvesh Kumar Rai And 6 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite  
Party(s)

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Counsel for Applicant(s) : Byas Kumar Prasad  
Counsel for Opposite Party(s) : G.A., Pradeep Kumar Keshri

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Court No. - 76

**HON'BLE VIKRAM D. CHAUHAN, J.**

1. Heard learned counsel for the applicants, Sri Pradeep Kumar Keshri, learned counsel for the opposite party no.2 and learned A.G.A. for the State.

2. This application has been filed for quashing the entire proceedings of Case No. 6748 of 2024, State Vs. Sarvesh Rai, arising out of Charge Sheet dated 27.08.2024 in the Case Crime No. 0035 of 2024, under Sections 498A, 323, 504, 506 and 406 I.P.C. and 3/4 Dowry Prohibition Act, Police Station Mahila Thana, District Jaunpur, pending in the court of Learned Chief Judicial Magistrate, Court No. 11, Jaunpur, as well as, further proceedings initiated in pursuance of submission of charge-sheet dated 27.08.2024, on the basis of compromise entered between the informant/victim and applicants dated 08.07.2025.

3. Learned counsel for the applicants submitted that the compromise has already been entered between the parties on 08.07.2025 and the same has been verified by the court concerned on 25.08.2025, therefore, the present case be finally decided.

4. Learned counsel for opposite party no.2 has not disputed the facts as stated by learned counsel for the applicants. He further contended that opposite party no.2 does not want to proceed with the criminal case against the applicants and the same may be quashed.

5. Learned AGA does not dispute the fact that parties have entered into settlement which is duly verified by the court concerned. It is further submitted that he would have no objection in case criminal proceedings are put to an end. He further submits that in view of settlement there is virtually no chance of any conviction being recorded in the criminal proceedings.

6. Having examined the matter in its totality, this Court is of the view that the criminal proceedings in the present case had essentially been an outcome of a matrimonial dispute; and there are no such over bearing circumstances for which the applicants ought to be prosecuted even after the parties has entered into a settlement. Needless to observe that with the present stand of the parties in terms of their settlement, there is practically no chance of recording conviction, even if the case under the F.I.R. in question is put to trial. In other words, entire exercise of trial would only be an exercise in futility. On the contrary, looking to the nature of dispute and the fact that the disputants have compromised and want to proceed peacefully ahead, it would be in the interest of justice that criminal proceedings in question are quashed.

7. It would be unfair or contrary to the interest of justice to continue with the criminal proceeding or continuation of the criminal proceeding would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and to secure the ends of justice, it is appropriate that the criminal case is put to an end.

8. In view of the fact that the parties do not want to pursue the

case any further as stated by them and the fact that matter has been mutually settled between the parties in view of the compromise dated 08.07.2025, no useful purpose would be served in proceeding with the matter further.

9. Thus, in view of the well settled principles of law as laid down by the Hon'ble Apex Court in *Parbatbhai Aahir Vs. State of Gujarat (2017) 9 SCC 641*, *Gian Singh Vs. State of Punjab (2012) 10 SCC 303* and *State of M.P. Vs. Laxmi Narayan, (2019) 5 SCC 688*, the proceedings of the aforesaid case is hereby quashed.

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

**September 26, 2025**

S.Prakash

**(Vikram D. Chauhan,J.)**