

Rizwan Qureshi And 7 Others vs State Of U.P. And 2 Others on 30 April, 2025

Author: Mahesh Chandra Tripathi

Bench: Mahesh Chandra Tripathi

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Neutral Citation No. - 2025:AHC:67133-DB

Court No. - 42

Case :- CRIMINAL MISC. WRIT PETITION No. - 7905 of 2025

Petitioner :- Rizwan Qureshi And 7 Others

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Krishna Dutt Tiwari

Counsel for Respondent :- G.A.

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Anil Kumar-X,J.

1. Heard learned counsel for the petitioners and Shri G.P. Singh, learned A.G.A.-I for the State-respondents.

2. The present writ petition has been preferred with the prayer to quash the impugned First Information Report dated 03.03.2025 registered as Case Crime No.23 of 2025, under Sections 406, 268, 269, 506 I.P.C., Police Station Galsahid, District Moradabad and with a further prayer not to arrest the petitioners in pursuance of the impugned F.I.R.

3. The learned counsel for the petitioner submits that the present writ petition has been filed seeking quashing of the impugned FIR and stay on further investigation based on a compromise reached between the parties. The learned counsel for the petitioner contends that on 04.04.2025, with the intervention of respected members of society, all disputes between the contesting parties have been amicably settled and a compromise deed has been executed. It is submitted that both parties have buried their differences and no dispute now remains between them, rendering the continuation of criminal proceedings futile. The learned counsel for the petitioner further emphasizes that no useful purpose would be served by allowing the case to proceed as the chances of conviction have become remote in light of the compromise. It is also submitted that the investigation is still pending, and no charge sheet has been filed till date. The learned counsel for the petitioner relies on the ratio of the various Supreme Court's decisions, which support the quashing of criminal proceedings based on compromise between parties. The learned counsel for the petitioner therefore prays that considering the compromise between parties and the settled legal position, this Hon'ble Court may be pleased to quash the impugned FIR.

4. Sri G.P. Singh, learned AGA-1 for the State-respondents on the strength of counter affidavit states that the matter has been settled amicably on the basis of compromise dated 04.04.2025 and he has no objection in case the impugned FIR is quashed. A counter affidavit has now been filed on behalf of the State, wherein it has been clearly affirmed that no useful purpose would be served in permitting the case to continue as the chances of conviction are anyway bleak in the light of the compromise.

5. Learned counsel for the parties, in one voice, have submitted that the dispute arose from a personal misunderstanding and has since been resolved amicably through the aforementioned settlement agreement. It is their collective submission that the continuation of criminal proceedings in such a scenario would serve no meaningful purpose and would, in fact, amount to misuse of the legal process. In support of this contention, reliance has been placed on the judgments of the Hon'ble Supreme Court in *B.S. Joshi v. State of Haryana* (2003) 4 SCC 675, *Gian Singh v. State of Punjab* (2012) 10 SCC 303, and the decision of this Court in *Anuj Pandey v. State of U.P.* (Criminal Misc. Writ Petition No. 8510 of 2022, decided on 16.09.2022).

6. This Court has carefully considered the submissions of the learned counsels, perused the pleadings, and examined the legal principles enunciated by the Hon'ble Apex Court. In *Gian Singh* (supra), the Supreme Court categorically held that the High Court, while exercising its inherent powers under Section 482 Cr.P.C., is not bound by the provisions of Section 320 Cr.P.C. and may quash criminal proceedings in appropriate cases, especially where the offence is private in nature and does not involve any element of public harm or societal concern.

7. The Hon'ble Supreme Court further observed that in cases arising out of matrimonial disputes, civil transactions, financial dealings, and other matters where the dispute is essentially personal and does not affect public interest, the Court should adopt a pragmatic and restorative approach, prioritizing reconciliation and restoration of peace over punitive proceedings. However, the Court also drew a clear line that such power should not be exercised in cases involving heinous offences or crimes with grave impact on society.

8. In the present case, it is evident from the record that the parties have expressed genuine willingness to put an end to their discord and have entered into a written compromise duly verified before the appropriate forum. There is no allegation of coercion, deceit, or fraud in the execution of the compromise.

9. Moreover, the renowned Latin maxim *Interest Reipublicae Ut Sit Finis Litium* ? meaning "it is in the interest of the State that there should be an end to litigation" ? aptly underscores the necessity of finality in legal proceedings. This principle was emphatically upheld by this Court in *Anuj Pandey v. State of U.P.*, reaffirming that precious judicial time and investigative resources must not be wasted on cases that have lost their adversarial essence and where the likelihood of conviction is minimal. It has been rightly emphasized that the justice delivery system should prioritize matters of substantive public importance rather than being mired in private disputes that no longer present any genuine grievance.

10. In view of the aforementioned facts, legal position, and the spirit of reconciliation demonstrated by the parties, this Court is of the firm view that the ends of justice would be met by quashing the proceedings, thereby preserving judicial resources and preventing unnecessary hardship to the parties.

11. Accordingly, the writ petition stands allowed. The FIR dated 03.03.2025 registered as Case Crime No.23 of 2025, under Sections 406, 268, 269, 506 I.P.C., Police Station Galsahid, District Moradabad, along with all proceedings emanating therefrom, is hereby quashed.

12. The interim protection granted to the petitioners, vide earlier orders of this Court, stands confirmed.

13. There shall be no order as to costs.

Order Date :- 30.4.2025 NLY