
(2025) 10 DEL CK 1371

In the Delhi High Court

Case No : Criminal Miscellaneous Petition No. 8767 Of 2024 & Criminal Miscellaneous Application No. 33545 Of 2024

Ishan Jolly & Ors

APPELLANT

Vs

State Govt Of Nct Of Delh

RESPONDENT

Date of Decision : 30-10-2025

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 528
Code of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 34, 323, 354(A)

Citation : (2025) 10 DEL CK 1371

Hon'ble Judges : Ravinder Dudeja, J

Bench : Single Bench

Advocate : Aayushi Gupta, R.K. Pal, Shila Pal, Anish Shrestha, Tarang Srivastav, Santosh Yadav

Final Decision : Allowed

Judgement

Ravinder Dudeja, J

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of FIR No. 441/2021, dated 05.09.2021, registered at P.S Janakpuri, Delhi under Sections 354(A)/323/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. As per allegations made in the FIR, on 04.09.2021 around 11:30 pm, respondent no. 2 was physically assaulted by petitioners while returning home at night. Petitioners were later apprehended by brother of respondent no. 2 where a scuffle broke between them, resulting in injuries. Chargesheet has since been filed 354(A)/323/34 IPC against the petitioners.

3. During the course of proceedings, the parties amicably resolved their disputes and executed a Settlement Agreement dated 11.08.2023. copy of which has been annexed as Annexure C.

4. Parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Yogita and K. Birjit Singh, from PS Janakpuri.

5. Respondent no. 2 confirms that the matter has been amicably settled with the petitioners without any force, fear, coercion and she has no objection if the FIR No. 441/2021 is quashed against the petitioners.

6. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 441/2021 is quashed.

7. In *Gian Singh vs State of Punjab* (2012) 10 SCC 303, Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

"61. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceedings."

8. Further, it is settled that the inherent powers under section 482 of the Code are required to be exercised to secure the ends of justice or to prevent abuse of the process of any court. Further, the High Court can quash non-compoundable offences after considering the nature of the offence and the amicable settlement between the concerned parties. Reliance may be placed upon *B.S. Joshi v. State of Haryana*, (2003) 4 SCC 675.

9. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion. Hence, it would be in the interest of justice, to quash the abovementioned FIR and the proceedings pursuant thereto.

10. The petition is allowed, and the FIR No. 441/2021, dated 05.09.2021, registered at P.S Janakpuri, Delhi under section 354(A)/323/34 IPC and all the other consequential proceeding emanating therefrom is hereby quashed.

11. Petition is allowed and disposed of accordingly.

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