

(2025) 05 DEL CK 0848
In the Delhi High Court
Case No : Writ Petition (Crl) No. 402 Of 2025

Sh. Farman & Ors

APPELLANT

Vs

State Of Nct Of Delhi & Anr

RESPONDENT

Date of Decision : 09-05-2025

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 528
Bharatiya Nyaya Sanhita, 2023 — Section 3(5), 118(1)

Citation : (2025) 05 DEL CK 0848

Hon'ble Judges : Ravinder Dudeja, J

Bench : Single Bench

Advocate : M.C. Sharma, M.A. Niyazi, Anamika Ghai Niyazi, Kirti Sethi, Arquam Alia, Yasir Rauf Ansari, Alok Sharma, Harendra Singh

Final Decision : Allowed

Judgement

Ravinder Dudeja, J.

1. This is a writ petition under Article 226 of the Constitution read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of FIR No. 0013/2025, dated 02.01.2025, registered at P.S Kalyanpuri under sections 118(1)/3(5) BNS, 2023 and all proceedings emanating therefrom on the basis of settlement between the parties.

2. On 01.01.2025, a quarrel took place between the Petitioners and the Respondent No.2 whereby the Respondent No.2 sustained minor injuries. Thereafter, Respondent No.2 lodged the aforesaid FIR No. 0013/2025 against Petitioners. The complainant Imran lodged cross FIR No. 0014/2025 under sections 118(1)/3(5) BNS, 2023 at PS Kalyanpuri against the Respondent No.2.

3. During the proceedings, the parties have amicably resolved their disputes with the intervention close friends and executed a Compromise/Settlement Deed dated 17.01.2025. In pursuance of the Settlement, it is submitted that the parties will cooperate and join the proceedings of quashing of the aforesaid FIR

and will not file any other complaint against each other. The copy of Compromise/Settlement Deed dated 17.01.2025 has been placed on record as Annexure P-3.

4. The matter was placed before the Joint Registrar, who has recorded the statements of both the parties and passed the following orders:-

"01.05.2025

Today, videoconferencing is not connected due to some technical error. Complaint in this regard made to the concerned branch.

Today, statement of respondent no.2 and 10 have been recorded to ascertain the veracity and the genuineness of the parties entering into settlement.

Respondent no.2 has been identified by the counsel and IO.

Let the pre-verified statement along with this order be placed before the Hon'ble Court on 09th May, 2025.

5. Petitioners and respondent no. 2 are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Shudhanshu, from PS Kalyanpuri.

6. Respondent No.2 submits that the matter has been settled with the Petitioners without any force, fear, coercion and he has no objection if the FIR No. 0013/2025 is quashed against the Petitioners.

7. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 0013/2025 is quashed.

8. 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."

9. In view of the aforesaid circumstances and the fact that parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 0013/2025, dated 02.01.2025, registered at P.S Kalyanpuri under sections 118(1)/3(5) BNS, 2023 and all the other consequential proceeding emanating therefrom.

10. In the interest of justice, the petition is allowed and FIR No. 0013/2025, dated 02.01.2025, registered at P.S Kalyanpuri under sections 118(1)/3(5) BNS, 2023 and all the other consequential proceeding emanating therefrom is hereby

quashed, subject to deposit of cost of Rs. 5000/- by each petitioner with the Delhi High Court Advocate Welfare Trust, within 15 days from today.

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