
(2025) 11 DEL CK 1842

In the Delhi High Court

Case No : Criminal Miscellaneous Petition No.7822 Of 2025 & Criminal Miscellaneous Application No. 32768 Of 2025

Shahida Parveen Clayton & Ors

APPELLANT

Vs

State Nct Of Delhi And Anr

RESPONDENT

Date of Decision : 07-11-2025

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 528
Code of Criminal Procedure, 1973 — Section 482
Bharatiya Nyaya Sanhita, 2023 — Section 3(5), 74, 79, 115(2), 126(2)
Indian Penal Code, 1860 — Section 34, 323, 341, 354, 509

Citation : (2025) 11 DEL CK 1842

Hon'ble Judges : Ravinder Dudeja, J

Bench : Single Bench

Advocate : Mohd. Zaid Suleman, Diksha Verma M., Yudhvir Singh Chauhan

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.402/2025, dated 19.08.2025, registered at PS Jamia Nagar, Delhi under sections 115(2)/126(2)/74/79/3(5) BNS (323/341/354/509/34 IPC) and all proceedings emanating therefrom on the basis of settlement between the parties.

2. Both parties are neighbours. As per allegations made in the FIR, on 04.08.2025 respondent no.2/complainant and her family members were physically and verbally assaulted by petitioners. FIR No. 402/2025 was lodged at the instance of respondent no. 2 under section 115(2)/126(2)/74/79/3(5)BNS against the petitioners.

3. During the proceedings, the parties amicably resolved their disputes before this court and executed a Compromise Deed dated 30.10.2025, copy of which

has been annexed as Annexure P-2.

4. Petitioner nos. 2 to 4 and respondent no.2 are physically present before the Court while petitioner no.1 has entered their appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer W/PSI Vandna, from PS Jamia Nagar.

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. 402/2025 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. 402/2025 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 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. 402/2025, dated 19.08.2025, registered at PS Jamia Nagar, Delhi under sections 115(2)/126(2)/74/79/3(5) BNS and all the other consequential proceeding emanating therefrom.

10. In the interest of justice, the petition is allowed, and the FIR No. 402/2025, dated 19.08.2025, registered at PS Jamia Nagar, Delhi under sections 115(2)/126(2)/74/79/3(5) BNS and all the other consequential proceeding emanating therefrom is hereby quashed subject to petitioners depositing Rs.10,000/- as cost with Delhi High Court Advocates' Welfare Trust, bearing Account No. 15530210002995 maintained with UCO Bank within one month.

11. Petition is allowed and disposed of accordingly.

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