
(2025) 12 DEL CK 1729

In the Delhi High Court

Case No : Criminal Miscellaneous Petition No. 8698 Of 2025 & Criminal Miscellaneous Application No. 36299 Of 2025

Suman & Anr.

APPELLANT

Vs

State Of Nct Of Delhi & Anr

RESPONDENT

Date of Decision : 05-12-2025

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 528
Code of Criminal Procedure Act, 1973 — Section 482
Indian Penal Code, 1860 — Section 34, 323, 341

Citation : (2025) 12 DEL CK 1729

Hon'ble Judges : Ravinder Dudeja, J

Bench : Single Bench

Advocate : Tushar Agarwal, Naveen Kumar, Arun Kumar, Abhishek Mahal, Nawal Kishore Jha, Tripti Raj

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.310/2019, dated 28.09.2019, registered at P.S Lajpat Nagar, Delhi under Sections 323/341/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. As per averments made in the FIR, on 10.07.2019 Respondent no. 2 and his brother were physically assaulted by petitioners, linked to an ongoing multi-family land dispute pending in Saket Court thereby causing injuries.Chargesheet has since been filed under Sections 323/341/34 IPC against the petitioners.

3. During the course of proceedings, the parties amicably resolved their disputes and the terms of settlement have been reduced in the form of a Memorandum of Understanding dated 25.05.2025, copy of the same has been annexed as Annexure P-3.

4. Petitioners are physically present before the Court while Respondent no. 2 has entered his appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer SI Ravi, from PS Lajpat Nagar.

5. Respondent no. 2 confirms that the matter has been amicably settled with the petitioners without any force, fear, coercion and he has no objection if the FIR No. 310/2019 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. 310/2019 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, 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. 310/2019, dated 28.09.2019, registered at P.S Lajpat Nagar, Delhi under section 323/341/34 IPC and all the other consequential proceeding emanating therefrom is hereby quashed. Since State machinery has been used, quashing is subject to the petitioners depositing depositing cost of Rs. 5,000/- (Rupees Five Thousand only) with Delhi High Court Staff Welfare Fund bearing account no. 15530110074442, maintained with UCO Bank within a period of one month.

11. Petition is allowed and disposed of accordingly.

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