
(2025) 12 DEL CK 1863

In the Delhi High Court

Case No : Criminal Miscellaneous Petition No. 9125 Of 2025 & Criminal
Miscellaneous Application Nos. 38174 Of 2025 , 38175 Of 2025

Surjeet Singh & Anr.

APPELLANT

Vs

State Of Nct Delhi & Anr.

RESPONDENT

Date of Decision : 22-12-2025

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 528
Code of Criminal Procedure, 1973 — Section 482
Bharatiya Nyaya Sanhita, 2023 — Section 125(a), 289
Indian Penal Code, 1860 — Section 287, 337

Citation : (2025) 12 DEL CK 1863

Hon'ble Judges : Ravinder Dudeja, J

Bench : Single Bench

Advocate : Jinendra Jain, Krishna Sharma, M. N. Mishra, Kashish Gupta, Bijay
Lakshmi, Satinder Singh Bawa, Manoj Gautam

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. 769/2024, dated 31.12.2024, registered at P.S Mundka, Delhi under Sections 289/125(a) BNS (Section 287/337 IPC) and all proceedings emanating therefrom on the basis of settlement between the parties.

2. As per allegations, on 30.12.2024, hand of respondent no. 2 got compressed in the moulding machine while working in petitioners' factory. There was no glass in the safety door of the machine which resulted in this accident. FIR No. 769/2024 was lodged at the instance of respondent no. 2 under sections 289/125(a) BNS against the petitioners.

3. It is submitted that respondent no. 2 was employed on 24.12.2024 by the petitioners. The entire medical expenses of around Rs. 2,29,000/- (Rupees Two Lac Twenty Nine Thousand) was borne by the petitioners and respondent no. 2

was duly taken care of his day to day expenses and during this period he was paid salary continuously. It is further submitted that petitioners have borne the expenses of Rs. 1,28,000/- (Rupees One Lac Twenty Eight Thousand) for providing prosthetic hand to respondent no. 2 from rehabilitation clinic and have agreed to pay Rs. 5,00,000/- (Rupees Five Lacs) as compensation. Respondent no. 2 has executed an affidavit dated 15.09.2025 that he has been duly compensated and has no objection in case the FIR is quashed.

4. Parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Deepak Yadav, from PS Mundka.

5. Respondent no. 2 present in Court with his counsel confirms that the matter has been amicably settled with the petitioners without any force, fear, coercion. He confirms that the entire medical expense including the expense of providing prosthetic hand have been borne by the petitioners and has received four demand drafts totaling Rs. 5,00,000/- (Rupees Five Lacs) from the petitioners and has no objection if the FIR No. 769/2024, PS Mundka 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. 769/2024 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. 769/2024, dated 31.12.2024, registered at P.S Mundka, Delhi under section 289/125(a) BNS 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.