



2026 :DHC :4088



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Date of Decision: 07th May, 2026

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CRL.M.C. 3533/2026 & CRL.M.A. 14381/2026

SAJID ALI AND OTHERS

.....Petitioner

Through: Mr. Rohit Singh, Ms. Supriya, Mr.
Prashant Vaibhav, Advocates.
Petitioners in person.

versus

STATE OF NCT OF DELHI AND ANR

.....Respondent

Through: Mr. Sunil Kumar Gautam, APP for the
State with Mr. Rajendra Pal,
Advocate.
SI Satyapreet and HC Ali Gohar.
Ms. Ankita Singh, Advocate for R-2.
Respondent No.2 in person.

CORAM:**HON'BLE MR. JUSTICE MANOJ JAIN****J U D G M E N T (oral)**

1. Petitioners herein seek quashing of FIR No. 0161/2025 dated 07.02.2025, registered at Police Station Kalandi Kunj, Delhi, for commission of offences under Sections 290/125 of *Bharatiya Nyaya Sanhita (BNS)*, 2023 (corresponding Sections 288/336 IPC), along with all consequential proceedings arising therefrom, on the basis of compromise arrived at between the parties.

2. The abovesaid FIR was registered on the basis of statement made by Shakeel (respondent No.2 herein). He is resident of A-26, Near Makki Masjid Part-III, Madanpur Khadar, New Delhi and on the left side of his house, there was a vacant plot where construction was going on.



3. During such construction, when the basement was dug in the abovesaid vacant plot, the foundation of the house of the complainant got exposed. On account of the abovesaid negligent manner in which the construction was being raised, the left side wall of his house also collapsed. He, therefore, reported the matter as the excavation had been done without taking any safety arrangements and there was danger to his life and also to his property besides being danger to the people living in the neighbourhood.

4. Petitioner No.1- Sajid Ali is the owner of the abovesaid vacant plot who was getting the construction raised. Petitioner No.2-Syaun Hak is the contractor and Petitioner No.3-Adnan Khan is supervisor and the abovesaid FIR was registered against all of them.

5. The investigation is over and charge-sheet has also been filed.

6. However, in the interregnum, both the sides have entered into amicable settlement and the terms of such settlement have been reduced to writing. *Memorandum of Understanding* (MoU) dated 29.04.2026 is on record.

7. Respondent No.2 is present in Court and his counsel has appeared through *video-conferencing*. I.O. is also present in Court and identifies respondent No.2.

8. When asked, respondent No.2 i.e. complainant submits that matter has been amicably settled and petitioners have already carried out requisite repair and have also re-constructed the wall in question and such repair is as per his full satisfaction. He submits that now there is no grievance left with respect to the subject matter in question and he has entered into abovesaid compromise without any coercion and influence from any corner whatsoever and therefore, he would have '*no objection*' if FIR in question is quashed.

9. In view of the settlement arrived at between the parties, continuing with



criminal proceedings would serve no useful purpose,

10. Accordingly, exercising inherent powers vested in this Court under Section 528 of *Bharatiya Nagarik Suraksha Sanhita, 2023*, it is deemed appropriate to quash the instant FIR.

11. Consequently, to secure the ends of justice, FIR No. 0161/2025 dated 07.02.2025, registered at Police Station Kalandi Kunj, Delhi, for commission of offences under Sections 290/125 of *Bharatiya Nyaya Sanhita (BNS), 2023* (corresponding Sections 288/336 IPC), along with all consequential proceedings arising therefrom, is, hereby, quashed subject to petitioners depositing total cost of Rs. 25,000/- in the account of *Delhi High Court Legal Services Committee (DHCLSC)* within four weeks from today.

12. Proof of deposit of cost, Original MoU as well as original affidavits of the parties shall be submitted before the learned Trial Court by the next date fixed before it.

13. The present petition stands disposed of in aforesaid terms.

14. The pending application also stands disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

MAY 7, 2026/ss/sa