



2025:DHC:5312



\$~65

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of Decision: 07.07.2025

+ CRL.M.C. 4335/2025
EASHAN PANDYA

.....Petitioner

Through: Mr. Ankit Bhadaria, Mr. Umesh
Singh and Mr. Ashok Nagar,
Adv. along with petitioner.

versus

THE STATE OF NCT OF DELHI AND ORS.

.....Respondents

Through: Ms. Meenakshi Dahiya, APP
with SI Vishva Vijay, PS Civil
Lines.
Mr. Shivam Kaushik, Adv. for
R-2, R-3 & R-4 along with
respondents.

CORAM:
HON'BLE MS. JUSTICE SHALINDER KAUR

SHALINDER KAUR, J (ORAL)

CRL.M.A. 18888/2025 (Exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C. 4335/2025

3. The present petition has been filed by the petitioner under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to quash the FIR No. 442/2021 dated 12.11.2021 for the offences punishable under Sections 279/337 of the Indian Penal Code, 1860,



2025:DHC:5312



registered at Police Station Civil Lines (“subject FIR”) and all the consequential proceedings arising therefrom.

4. The learned counsel for the petitioner submits that on 12.11.2021, an accident took place involving a car driven by the petitioner and an auto-rickshaw, in which, apart from the driver (respondent no. 2), two passengers, respondent nos. 3 and 4, were present. As a result of the said accident, the respondent nos. 2 and 4 sustained simple injuries, while the respondent no. 3 suffered grievous injuries, leading to registration of the subject FIR.

5. He further submits that, in addition to the registration of the subject FIR, the petitioner had also instituted a claim before the Motor Accident Claims Tribunal (MACT) bearing Case No. 5480/2021. In the said proceedings, all the injured persons have been duly compensated, with respondent no. 3 having received a sum of ₹2,00,000/-, and respondent nos. 2 and 4 having received ₹25,000/- each, pursuant to a Judgment pronounced on 09.05.2025.

6. The learned counsel submits that, in the meanwhile, with the intervention of the family members, relatives, and mutual acquaintances, the parties have arrived at an amicably and voluntary resolution of their disputes arising out of the said accident *vide* Compromise Deed dated 21.04.2025 and that no further dispute subsists in relation thereto. In terms of the said compromise/settlement, the respondent no. 4 has received a sum of ₹25,000/-, and respondent nos. 2 and 3 have received sum of ₹30,000/- each from the petitioner. The said Compromise Deed dated 19.04.2025 has been placed on record.



2025:DHC:5312



7. He submits that on the basis of the said compromise/settlement, the offences punishable under Sections 337/338 of the Indian Penal Code, 1860, has been duly compounded before the learned Trial Court *vide* Order dated 26.04.2025, and the present petition has now been filed seeking quashing of the remaining offence under Section 279 of the Indian Penal Code, 1860.

8. The present petition is premised on the aforesaid assertion that the dispute *inter se* the parties stand amicably resolved, of their own volition, uninfluenced by any coercion, compulsion or undue inducement. In furtherance thereof, a Compromise Deed dated 19.04.2025 has been duly executed between the petitioner and the respondent nos. 2 to 4. Moreover, the parties have undertaken that there is no other litigation emanating out of the said incident, is pending before any other Judicial fora.

9. Before this Court, the Investigating Officer has duly identified the parties and they have confirmed that they are abiding by all the terms of the Settlement.

10. The respondents no. 2 to 4, who are present before this Court, upon being queried, confirms that they entered into the said settlement, out of their free will, without any coercion, force or undue influence. They further state that they are satisfied with the compensation received, both, in the MACT proceedings as well as from the petitioner, pursuant to the settlement and do not wish to pursue the present case, any further, against the petitioner. They submit that no other litigation is pending between the parties and they have no objection if the subject FIR and all consequential proceedings



2025:DHC:5312



arising therefrom are quashed.

11. In view of the foregoing, the learned counsel for the parties, jointly prayed for quashing of the subject FIR.

12. The learned APP on behalf of the state submits that there is no objection if the subject FIR is quashed.

13. In view of these circumstances, in line with the law laid down by the Supreme Court in *Gian Singh vs. State of Punjab & Anr.*: (2012) 10 SCC 303 as also in *Narinder Singh & Ors. vs. State of Punjab & Anr.*: (2014) 6 SCC 466, this Court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. In light of the settlement between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be a futile exercise and would not be conducive to peace and harmony between the parties.

14. In conspectus of the above facts and the Compromise Deed dated 19.04.2025, the subject FIR bearing No. 442/2021 dated 12.11.2021 for the offences punishable under Sections 279/337 of the Indian Penal Code, 1860, registered at Police Station Civil Lines and all consequential proceedings emanating therefrom, are hereby quashed.

15. The present petition is, accordingly, disposed of, in the aforesaid terms.

SHALINDER KAUR, J

JULY 7, 2025/ss/kp

[Click here to check corrigendum, if any](#)