



2025:DHC:7727



\$~ 49 & 53

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

% Date of decision: 04.09.2025

+ CRL.M.C. 6256/2025 & CRL.M.A. 26445/2025 EXEMPTION,
CRL.M.A. 26446/2025 DELAY

HIMANSHU GUPTA AND ORSPetitioners

Through: Mr. S.S. Chhillar, Mr. S.P.
Anand, Advs. with all petitioner
in person.

versus

THE STATE (STATE OF DELHI) AND ANR

.....Respondents

Through: Mr. Hitesh Vali, APP with SI
Vikash Fageria, PS Subzi
Mandi.

Ms. Mansha Gupta, Ms.
Radhika Gupta, Mr.
Raghwendra Pratap Rao, Advs.
for R-2 with R-2 in person.

53

+ CRL.M.C. 6283/2025 & CRL.M.A. 26569/2025 EXEMPTION
PANKAJ JAIN & ORS.Petitioners

Through: Ms. Mansha Gupta, Ms.
Radhika Gupta, Mr.
Raghwendra Pratap Rao, Advs.
with P-1, P-2, P-3 in person and
P-4 through VC.

versus

STATE (NCT) OF DELHI & ANR.Respondents

Through: Mr. Hitesh Vali, APP, with SI
Vikash Fageria, PS Subzi
Mandi.

Mr. S.S. Chhillar, Mr. S.P.
Anand, Advs. for R-2 with R-2
in person.



**CORAM:-
HON'BLE MR. JUSTICE RAVINDER DUDEJA**

JUDGMENT(ORAL)

RAVINDER DUDEJA, J.

1. These are petitions under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of two FIRs i.e. one bearing No. 325/2020 dated 21.09.2020, for the alleged offences under Sections 354B/509/34 of IPC and the second bearing no. 317/2020 dated 17.09.2020 under Sections 354/506/323 of IPC, both lodged at Police Station Subzi Mandi, and all other consequential proceedings arising there from on the basis of a compromise.

2. Learned counsel appearing for the respective petitioners and private respondents in both petitions submit that there was a serious misunderstanding on the part of their clients that led to lodging of FIR and cross FIR, as above. The parties have now amicably settled the matter vide Compromise Deed/ Memorandum of Settlement dated 26.10.2024 and hence the two petitions seeking quashing of the two FIRs. Copy of the Compromise Deed/Memorandum of Settlement dated 26.10.2024 has been annexed as Annexure P-5.

3. Both FIRs, *ibid*, arising out of the same incident on the same date, represent a version and counter-version of the dispute. The matter pertains to verbal and physical assault by tearing clothes and



2025:DHC:7727



issuing threats. Charge sheets have since been filed under sections 354/509/506/323/34 IPC.

4. All Parties are physically present before the Court except Petitioner no. 4 namely Riya Gupta in case FIR no. 317/2020 who has entered her appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer SI Vikash Fageria, from PS Subzi Mandi. It has been submitted that one of the accused in FIR no. 317/2020 namely Daleep Gupta has expired during the pendency of the trial and proceedings qua him stand abetted.

5. Both parties confirm that the matter has been amicably settled with the petitioners without any force, fear, coercion and they have no objection if the FIR Nos. 325/2020 and 317/2020 are quashed against the Petitioners. They further submit that the dispute is private in nature.

6. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the FIR Nos. 325/2020 and 317/2020 are 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. The parties are relatives of each other and dispute arose out of misunderstanding as stated, thus dispute is essentially private in nature. In such circumstances, continuation of the criminal proceedings would serve no useful purpose and would rather amount to an abuse of the process of law. Not quashing the criminal proceedings would rather rekindle hostility, whereas quashing the same would promote cordiality and bonhomie between the parties.

10. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion. Hence, it would be in the interest of justice, to quash the abovementioned FIR and the proceedings pursuant thereto.



2025:DHC:7727



11. The petitions are allowed, and both the FIRs i.e. one bearing Nos. 325/2020 dated 21.09.2020, under Sections 354B/509/34 of IPC and the second bearing no. 317/2020 dated 17.09.2020 under Sections 354/506/323 of IPC, Police Station Subzi Mandi, and all other consequential proceedings arising therefrom are hereby quashed subject to petitioners in both cases depositing cost of Rs. 5,000/- each with Delhi State Legal Services Authority within a period of one month.
12. Petitions is allowed and disposed of accordingly.
13. Pending application(s), if any, also stand disposed of.

RAVINDER DUDEJA, J

September 04, 2025
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