



2025:DHC:9698



\$~58

* IN THE HIGH COURT OF DELHI AT NEW DELHI

%

Date of decision: 04.11.2025

+ W.P.(CRL) 3256/2025 & CRL.M.A. 29668/2025 Exemption
MOHD. FAISAL & ANR.PetitionerThrough: Mr. Mohd. Azeem, Ms. Kajal
Gautam, Mr. Kunal Vashisht,
Advs. along with petitioners in
person.

versus

STATE OF NCT & ANR.Respondents

Through: Ms. Rupali Bandhopadhyaya,
ASC with Mr. Abhijeet Kumar,
Ms. Amisha Gupta, Advs and
SI Akashdeep, PS Jamia Nagar.**CORAM:-****HON'BLE MR. JUSTICE RAVINDER DUDEJA****JUDGMENT(ORAL)****RAVINDER DUDEJA, J.**

1. This is a petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of FIR No. 283/2022, dated 07.07.2022, registered at P.S Jamia Nagar, Delhi under Sections 323/341/427/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. As per the allegations in the FIR, on 07.07.2022 around 11:30 p.m., respondent no. 2/ complainant was allegedly assaulted by petitioners with sticks and iron rods over a road dispute, causing



2025:DHC:9698



injuries over his head and fingers. The scooty and phone of respondent no. 2 were also damaged. FIR No. 283/2022 was lodged at the instance of respondent no. 2 at PS Jamia Nagar under sections 323/341/427/34 IPC against the petitioners. Chargesheet has since been filed.

3. During the course of proceedings, the parties amicably resolved their disputes and the terms of settlement were written in the form of a Memorandum of Settlement dated 28.04.2025, copy of which has been annexed as Annexure P-7.

4. Parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Akashdeep, PS Jamia 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. 283/2022 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. 283/2022 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. Hence, it would be in the interest of justice, to quash the abovementioned FIR and the proceedings pursuant thereto.

10. In the interest of justice, the petition is allowed, and the FIR No. 283/2022, dated 07.07.2022, registered at P.S Jamia Nagar, Delhi under section 323/341/427/34 IPC and all the other consequential proceeding emanating therefrom is hereby quashed, subject to petitioners depositing Rs. 5000/- each as cost with the Delhi High



2025:DHC:9698



Court Advocates Welfare Trust bearing Account No. 15530210002995, 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.

RAVINDER DUDEJA, J

November 04, 2025
SK

