



2025:DHC:10887



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 04.12.2025

+ CRL.M.C. 1554/2025 & CRL.M.A. 6961/2025 STAY,
CRL.M.A. 6962/2025 EXEMPTION FROM FILING
CERTIFIED COPIES ETC.

GAUTAM ANAND & ANR.

.....Petitioners

Through: Mr. Adv. (appearance not
given)

versus

STATE OF NCT DELHI & ORS.

... Respondents

Through: Mr. Nawal Kishore Jha, APP
with SI Mukesh, PS Rajauri
Garden.**CORAM:-****HON'BLE MR. JUSTICE RAVINDER DUDEJA****JUDGMENT(ORAL)****RAVINDER DUDEJA, J.**

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of FIR No. 728/2018, dated 04.12.2018, registered at P.S Rajouri Garden, Delhi under Sections 323/354(A)/509/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. Amended Memo of parties filed which is taken on record.



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3. As per averments made in the FIR, petitioners physically and verbally assaulted respondents including inappropriate touching and physical assault. Chargesheet has since been filed under sections 323/354/354(A)/509/34 IPC against the petitioners.

4. During the course of proceedings, the parties amicably resolved their disputes and terms of settlement were reduced in the form of Memorandum of Understanding dated 26.11.2024, copy of which has been annexed as Annexure A-4. It is submitted by the Ld. Counsel for the petitioners that a cross FIR No. 727/2018 under sections 323/354/427/452/506/34 IPC between the same parties has since been quashed by the coordinate bench of this court in CRL.M.C. 1614/2025 vide order dated 30.04.2025

5. All parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Mukesh, from PS Rajauri Garden.

6. Respondents confirm that the matter has been amicably settled with the petitioners without any force, fear, coercion and they have no objection if the FIR No. 728/2018 is quashed against the Petitioners.

7. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 728/2018 is quashed.



8. 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."

9. 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*.

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, it would be in the interest of justice, to quash the abovementioned FIR and the proceedings pursuant thereto.

11. The petition is allowed, and the FIR No. 728/2018, dated 04.12.2018, registered at P.S Rajouri Garden, Delhi under section 323/354(A)/509/34 IPC and all the other consequential proceeding



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emanating therefrom is hereby quashed subject to petitioners depositing cost of Rs. 10,000/- with DHCBA Cost Account, bearing account no. 15530110179338, maintained with UCO Bank, within a period of one month.

12. Petition is allowed and disposed of accordingly.
13. Pending application(s), if any, also stand disposed of.

RAVINDER DUDEJA, J

December 04, 2025

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