



2025:DHC:6569



\$~79

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

%

Date of decision: 07.08.2025

+ CRL.M.C. 2033/2025 & CRL.M.A. 9179/2025 EXEMPTION

ASHOK KUMAR & ORS.

.....Petitioners

Through: Ms. Garima Mudgal and Mr. Vinay Mudgal, Advocates with petitioners in person.

versus

THE STATE (NCT) OF DELHI & ANR. ... Respondents

Through: Mr. Hitesh Vali, APP.

Mr. Dewal Singh, Ms. Renu Bala, Mr. Sumit Kumar, Mr. Pulkit Singh, Mr. Chalsi Singh, Advocates for R-2.

Respondents in person.

CORAM:-

HON'BLE MR. JUSTICE RAVINDER DUDEJA

JUDGMENT(ORAL)

RAVINDER DUDEJA, J.

1. The present petition has been filed under section 528 BNSS seeking the quashing of the FIR NO. 202/2021 Under Sections 323/354B/34 of the Indian Penal Code registered at P.S. Samaypur Badli and all the proceedings emanating therefrom.



2025:DHC:6569



2. As per allegations made in the FIR, respondent No. 3 gave slaps and pulled the *chunni* of the complainant and threw the same in the street, and thereafter, respondent Nos. 1 and 2 had beaten up her husband. FIR was lodged on the complaint made by the complainant under Sections 323/354B/34 IPC. Chargesheet has since been filed under Sections 323/354B/34 IPC.

3. It has been submitted that a cross FIR No. 207/2021, Police Station Samay Pur Badli was registered at the instance of wife of petitioner No. 1 and that both parties have now entered into a settlement vide MoU/compromise deed dated 11.03.2024, copy of which is annexed as *Annexure C*.

4. Parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer, from PS Samaypur Badli.

5. Respondent No.2 confirms that the matter has been amicably settled with the petitioners without any force, fear, coercion and has no objection if the FIR NO. 202/2021 Under Sections 323/354B/34 of the Indian Penal Code registered at P.S. Samaypur Badli 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. 202/2021 Under Sections 323/354B/34 of the Indian Penal Code registered at P.S. Samaypur Badli is quashed.



7. In *Gian Singh vs State of Punjab (2012) 10 SCC 303*, 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. In view of the aforesaid circumstances and the fact that parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR NO. 202/2021 Under Sections 323/354B/34 of the Indian Penal Code registered at P.S. Samaypur Badli and all the other consequential proceeding emanating therefrom.

9. In the interest of justice, the petition is allowed, and FIR NO. 202/2021 Under Sections 323/354B/34 of the Indian Penal Code registered at P.S. Samaypur Badli and all the other consequential proceeding emanating therefrom is hereby quashed subject to petitioners depositing Rs. 5,000/- each with Delhi High Court Advocates Welfare Fund within one month.

10. Petition is allowed and disposed of accordingly.

11. Pending application(s), if any, also stand disposed of.

RAVINDER DUDEJA, J

AUGUST 07, 2025/na