



2025:DHC:7798



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

% Date of decision: 08.09.2025

+ CRL.M.C. 6297/2025 & CRL.M.A. 26628/2025 STAY,
CRL.M.A. 26629/2025 EXEMPTION

VISHAL KALHANPetitioner

Through: Mr. Sarthak Dubey, Mr. Sparsh
Jain, Advocates.

Petitioner in person.

versus

STATE OF NCT OF DELHI & ORS. ... Respondents

Through: Ms. Kiran Bairwa, APP with SI
Himanshu Kumar Dubey, PS-
Amar Colony.

Mr. Manoranjan Gaur,
Advocate for R-2 and R-3.
R-2 and R-3 through VC.

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. 442/2023, dated 16.10.2023, registered at P.S Amar Colony, Delhi under Sections



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279/337 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. As per allegations made in the FIR, On 14.10.2023, a Toyota vehicle bearing registration number DL 3C BX 1624 took a sudden U-turn, leading to a collision with the complainant's motorcycle and leading to injuries to respondents. Chargesheet has since been filed under sections 279/337 IPC and 3/181 of the MV Act against the petitioner.

3. During the course of proceedings, the parties amicably resolved their disputes and the parties recorded their statements on 02.12.2024 before the court of Ld. Presiding Officer (MACT)-02, South East Saket in MACT No. 384/2024. In view of the aforesaid settlement petitioner has paid Rs. 5,00,000/- (Rupees Five Lacs only) each as compensation to the complainant and his wife. Copy of the statements in lieu of settlement dated 02.12.2024 has been annexed as Annexure P-3.

4. Petitioner is physically present before the Court while respondents have entered their appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer SI Himanshu Kumar Dubey, from PS Amar Colony.

5. Respondents confirm that the matter has been amicably settled with the petitioner without any force, fear, coercion and have received



the compensation amount from the petitioner and they have no objection if the FIR No. 442/2023 is quashed against the petitioner.

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. 442/2023 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. While it is true that the offence under Section 279 of IPC is not an offence in personam, thereby that it affects society at large and not just the individual complainant, the Court must also take into account the practical realities of securing a conviction in the present case. The Supreme Court has consistently held that where the chances of conviction are remote due to an amicable settlement between the parties, the Court should consider whether continuing the prosecution would serve any meaningful purpose.

10. Further, offence under Sections 3 read with 181 of MV Act which are offences against the State, in relation to driving a motor vehicle without a valid license. These offences are compoundable, as per the notification no. *No. F. 19(95)/Tpt./Sectt./10/257* dated 20.12.2016, issued by the Lt. Governor of NCT of Delhi, in exercise of powers under Section 200(1) read with Section 2 Clause 41 of the MV Act, against a fixed compounding fee of INR 500/-.

11. 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.

12. The petition is allowed, and the FIR No. 442/2023, dated 16.10.2023, registered at P.S Amar Colony, Delhi under section



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279/337 IPC and all the other consequential proceeding emanating therefrom is hereby quashed.

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

RAVINDER DUDEJA, J

September 08, 2025
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