



2025:DHC:11425



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

% Date of decision: 16.12.2025

+ **W.P.(CRL) 4163/2025 & CRL.M.A. 37540/2025 EXEMPTION
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MR. ABDUR RAHMAN KHANPetitioner

Through: Mr. Md. Irshad Hanif, Mr.
Ankush Sharma, Advs. with
petitioner in person.

versus

STATE (NCT OF DELHI) & ANR.Respondent

Through: Mr. Rahul Tyagi, ASC with Mr.
Sangeet Sibou, Mr. Shubham
Goyal, Mr. Anshu Chothwani,
Mr. Harsh Kumar, Advs. with
ASI Shiv Kumar, PS Shakarpur.
Mr. Virender Maurya, Adv. for
R-2 with R-2 in person.

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. 233/2025, dated 22.08.2025, registered at P.S Shakarpur, Delhi under Sections 281/125(a) BNS (**279/337 IPC**) and all proceedings emanating therefrom on the basis of settlement between the parties.



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2. As per allegations, on 21.08.2025 at around 9:30 PM, petitioner while driving his car no. DL 7CP 0250 at a fast speed and in a rash and negligent manner struck against respondent no. 2/ a pedestrian, thereby causing him injuries. FIR No. 233/2025 was lodged at the instance of respondent no.2 under Sections 281/125(a) BNS against the petitioner.

3. Ld. ASC who appears for the State submits that the case is still under investigation inasmuch as charge sheet has not been filed till date and as per the opinion of the doctor the injuries suffered are grievous in nature.

4. It is submitted that during the course of proceedings, the parties have amicably resolved their disputes and executed a Memorandum of Understanding dated 28.11.2025. It is also submitted that petitioner has already paid Rs. 15,000/- (Rupees Fifteen Thousand only) to respondent no. 2 by cheque no. 884152 and has transferred Rs. 35,000/- (Rupees Thirty Five Thousand) today through UPI in the account of the son of the respondent no. 2. Copy of the Memorandum of Understanding dated 28.11.2025 is Annexure P-2.

5. Parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer ASI Shiv Kumar, from PS Shakarpur.

6. Respondent no. 2 confirms that the matter has been amicably settled with the petitioner without any force, fear, coercion and he has



received the entire settlement amount and has no objection if the FIR No. 233/2025 is quashed against the petitioner.

7. In view of the settlement between the parties, learned ASC appearing for the State, also has no objection if the present FIR No. 233/2025 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. 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



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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.

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, 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. 233/2025, dated 22.08.2025, registered at P.S Shakarpur, Delhi under section 281/125(a) BNS 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

December 16, 2025

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