



2025:DHC:8225



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

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Date of decision: 17.09.2025

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CRL.M.C. 6611/2025 & CRL.M.A. 27834/2025 EXEMPTION

SURVESH R

.....Petitioner

Through: Mr. Navlendu Kumar and Mr.
Anupam Kumar, Adv.
Petitioner in person.

versus

STATE NCT OF DELHI AND ORSRespondents
Through: Ms. Kiran Bairwa, APP with SI
Sandeep, P.S.Vikaspuri.
Mr. Trilok Singh, Adv. for R-2
and R-3.

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. 34/2020, dated 19.01.2020, registered at P.S Vikaspuri, Delhi under Sections 279 IPC & 185 of Motor Vehicle Act, 1954 and all proceedings emanating therefrom on the basis of settlement between the parties.

2. As per allegations made in the FIR, on 19.01.2020, a Maruti Swift VDI (DL8CA W4654) driven by petitioner under the influence of alcohol collided into parked car (DL-3CBP-8394) of respondent no. 2 outside his residence causing extensive damage worth over Rs. 10



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lakhs. Chargesheet has since been filed under sections 279 IPC & 185 of Motor Vehicle Act, 1954 against the petitioner. Respondent no.2 is the complainant and respondent no. 3 is stated to be the registered owner of Car No. DL-3CBP-8394

3. During the course of proceedings, the parties amicably resolved their disputes and have recorded his statements on 04.02.2023 before the court of Ld. MM-08, and on 08.07.2023 before the Ld. MM-05, South West, Dwarka in Cr. Case No. 1982/2020. In view of the aforesaid settlement petitioner has paid Rs. 40,000/- (Rupees Forty Thousand only) as compensation to the complainant. Copy of the statements in lieu of settlement dated 04.02.2023 and 08.07.2023 have been annexed as Annexure P-3 & P-5.

4. Petitioner is physically present before the Court while respondent nos. 2 and 3 have entered their appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer SI Sandeep from PS Vikaspuri.

5. Respondents confirm that the matter has been amicably settled with the petitioner without any force, fear, coercion and they have no objection if the FIR No. 34/2020 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. 34/2020 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 offences under Section 279 of IPC and Section 185 of MV Act are not offences 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



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whether continuing the prosecution would serve any meaningful purpose.

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. Hence, 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. 34/2020, dated 19.01.2020, registered at P.S Vikaspuri, Delhi under section 279 IPC & 185 of Motor Vehicle Act, 1954 and all the other consequential proceeding emanating therefrom is hereby quashed.

12. Petition is allowed and disposed of accordingly.

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

RAVINDER DUDEJA, J

September 17, 2025

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