



2025:DHC:7181



\$~48

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

%

Date of decision: 22.08.2025

+

CRL.M.C.1698/2025

FARDEEN ALI & ORS.

.....Petitioners

Through: Mr. Abdul Gaffar, Advocate
with petitioners in person.

versus

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

Through: Mr. Hitesh Vali, APP with SI
Animesh Anand, PS-Jagatpuri.
Mr. Nakul Sharma, Advocate
for R-2 and R-3.
R-2 and R-3 in person.**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. 647/2024, dated 18.12.2024, registered at P.S Jagatpuri, Delhi under Sections 110/115(2)/126(2)/3(5) BNS (Section 308/323/341/34 IPC) and all proceedings emanating therefrom on the basis of settlement between the parties.

2. As per averments made in the FIR, on 17.12.2024 Respondent No. 2 and respondent no. 3 were attacked by petitioners and accomplices with sticks, dandas, and a hammer over a property



dispute. Respondent no. 3 sustained a head injury, while respondent no. 2 suffered a bruise. FIR was lodged at instance of respondent no. 2 under sections 110/115(2)/126(2)/3(5) BNS against the petitioners.

3. During the course of proceedings, the parties amicably resolved their disputes and the terms of the compromise were reduced into writing in the form of a Memorandum of Understanding/ Compromise Deed dated 22.02.2025. Copy of the Memorandum of Understanding/ Compromise Deed dated 22.02.2025 has been annexed as Annexure A/4.

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

5. 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. 647/2024 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. 647/2024 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. 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.

10. The petition is allowed, and the FIR No. 647/2024, dated 18.12.2024, registered at P.S Jagatpuri, Delhi under section 110/115(2)/126(2)/3(5) BNS and all the other consequential proceeding emanating therefrom is hereby quashed, subject to petitioners depositing cost of Rs. 25,000/- each with Delhi High Court Advocates Welfare Fund (DHCBA A/c no. 15530110179338), maintained by the UCO Bank, Delhi High Court Branch within one month.



2025:DHC:7181



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

RAVINDER DUDEJA, J

August 22, 2025
SK

HIGH COURT OF DELHI



सत्यमेव जयते