



2025:DHC:8505



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

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Date of decision: 23.09.2025

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**CRL.M.C. 2971/2024 & CRL.M.A. 11378/2024 EXEMPTION
FROM FILING CERTIFIED COPIES****PRAMOD KUMAR**PetitionerThrough: Mr. Anand Mishra, Adv. with
petitioner in person.

versus

THE STATE GNCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Tarang Srivastav, APP with
SI Vivek Kumar, PS
Barakhamba Road.
R-2 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. 188/2014, dated 10.12.2014, registered at P.S Barakhamba Road, Delhi under Sections 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 10.12.2014, a collusion occurred between respondent no. 2's bike (DL6SAF7953) and petitioner's car (DL3CBR5684), leading to injuries to respondent no.



2025:DHC:8505



2. Chargesheet has since been filed under sections 279/338 IPC against the petitioner.

3. During the course of proceedings, the parties amicably resolved their disputes before the Delhi Mediation Centre, Patiala House Court, New Delhi and executed a Mediation Settlement dated 23.09.2023. In view of the aforesaid settlement petitioner has paid Rs. 1,00,000/- (Rupees One Lac only) as compensation to respondent no. 2/ complainant. Copy of Mediation Settlement dated 23.09.2023 has been annexed as Annexure C. Offence under section 338 IPC has since been compounded with the petitioner before the Trial Court.

4. Parties are physically present Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Vivek Kumar, from PS Barakhamba Road.

5. 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. 188/2014 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. 188/2014 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



2025:DHC:8505



parties, the Court should consider 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. 188/2014, dated 10.12.2014, registered at P.S Barakhamba Road, Delhi under section 279/337 IPC 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 23, 2025

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