



2025:DHC:8500



\$~26

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

%

Date of decision: 23.09.2025

+ CRL.M.C. 4321/2025

SH AMIT KUMAR @ GOLU AND ANRPetitioners

Through: Mr. Prashant Batra, Advocate
with petitioner in person.

versus

STATE NCT OF DELHI AND ANR.Respondents

Through: Mr. Yudhvir Singh Chauhan,
APP with SI Naresh Kumar .
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. 298/2017, dated 21.09.2017, registered at P.S Khyala, Delhi under Sections 448/380/506/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. As per allegations made in the FIR, petitioners took unlawful possession of property of wife of respondent no. 2 bearing no. 23, Shivaji Encalve, Delhi and also removed his belongings and threatened him and his family. FIR No. 298/2017 was lodged at the instance of Respondent no. 2 under sections 448/380/506/34 IPC against the petitioner.



2025:DHC:8500



3. During the course of proceedings, the parties amicably resolved their disputes and executed a Memorandum of Understanding dated 08.05.2025. It has been submitted that in view of the aforesaid settlement, petitioners have handed over the possession of the aforesaid property to respondent no. 2 on 08.05.2025 and it is submitted that respondent no. 2 has paid a total amount of Rs. 2,50,000/- (Rupees Two Lacs Fifty Thousand) to petitioners toward renovation expenses incurred by them. Copy of the Memorandum of Understanding dated 08.05.2025 has been annexed as Annexure P-2.

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

5. Upon being asked, Respondent no. 2 confirms that he has amicably settled all the disputes with the petitioner without any force, fear, coercion and he has no objection if the FIR No. 298/2017 is quashed against the petitioner. He also confirms that he has received the possession of the property.

6. Petitioners also state that they have received Rs. 2.5 lakhs from respondent no. 2 in terms of the Agreement dated 08.05.2025.

7. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 298/2017 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. 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. 298/2017, dated 21.09.2017, registered at P.S Khyala, Delhi under section



2025:DHC:8500



448/380/506/34 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/ sk

HIGH COURT OF DELHI



सत्यमेव जयते