



2025:DHC:8495



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

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Date of decision: 23.09.2025

+ **CRL.M.C. 9606/2024 & CRL.M.A. 36879/2024 EXEMPTION
FROM FILING CERTIFIED COPIES****SATYAWAN TANWAR & ORS.Petitioners**Through: Mr. D.K. Panchal, Advocate
along with petitioner in person.

versus

THE STATE OF NCT OF DELHI & ORSRespondentsThrough: Ms. Manjeet Arya, APP with SI
Dharm Singh along with 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. 122/2023, dated 24.03.2023, registered at P.S Maidan Garhi, Delhi under Sections 308/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. Petitioner no. 1 and respondent no. 3 are real brothers. As per allegations made in the FIR, on 22.03.2023, an altercation arose between respondents and petitioners, arising out of a property dispute. Respondents were physically assaulted by petitioners with sticks



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causing injuries. Chargesheet has since been filed under sections 308/34 IPC against the petitioners.

3. It has been submitted that during the pendency of proceedings, the parties amicably resolved their disputes and executed a Family Settlement Cum Agreement dated 02.08.2023, copy of which has been annexed as Annexure P-3.

4. Ld. Counsel for the petitioners submits that the present case is arising out of a family dispute wherein a cross FIR No. 123/2023 was registered by petitioners against the respondents under section 308/34 IPC, at PS Maidan Garhi. He further submits that the same has been quashed today by the Coordinate Bench of this court.

5. Parties are physically present before the Court. They have been identified by their respective counsels as well as by the SI Dharm Singh PS Maidan Garhi.

6. 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. 122/2023 is quashed against the petitioners.

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. 122/2023 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 above-mentioned FIR and the proceedings pursuant thereto.

11. The petition is allowed, and the FIR No. 122/2023, dated 24.03.2023, registered at P.S Maidan Garhi, Delhi under section



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308/34 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.

September 23, 2025
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RAVINDER DUDEJA, J

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