



2025:DHC:6150



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\* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 28.07.2025

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CRL.M.C. 7208/2024

KADDU @ SHIVA &amp; ORS.

.....Petitioners

Through:

Mr. Rohit Kumar Mahiya, Mr.  
Devendra Kumar, Advocates.

Petitioners in person.

versus

THE STATE OF NCT OF DELHI &amp; ANR. ... Respondents

Through: Mr. Tarang Srivastav, APP with  
SI Shubhanshu, PS-Kalyanpuri.  
Respondent No. 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. 42/2018, dated 31.01.2018, registered at P.S Kalyanpuri, Delhi under Sections 308/323/354B/506/509/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. As per allegations, on 30.01.2018, during a quarrel between petitioners and the respondents, three persons suffered grievous injuries while the fourth person also suffered injuries on his person. During the said quarrel petitioner No. 2 torn the clothes of respondent



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No. 2. FIR No. 42/2018 was registered and after completion of investigation, charge sheet was filed under Sections 308/323/354B/506/509/34 IPC against the petitioners.

3. It has been submitted that petitioners and respondents are relatives of each other and are also neighbours and during the course of proceedings, they have amicably resolved their disputes and executed a MOU/Compromise Deed dated 20.04.2024 at Mediation Centre, Saket Courts, New Delhi. The copy of MOU/Compromise Deed dated 20.04.2024 has been placed on record as Annexure P4(Colly).

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

5. Respondent No. 2 confirms that the matter has been amicably settled with the petitioners without any force, fear, coercion and she has no objection if the FIR No. 42/2018 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. 42/2018 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. In view of the aforesaid circumstances and the fact that parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 42/2018, dated 31.01.2018, registered at P.S Kalyanpuri, Delhi under section 308/323/354B/506/509/34 IPC and all the other consequential proceeding emanating therefrom.

9. In the interest of justice, the petition is allowed, and the FIR No. 42/2018, dated 31.01.2018, registered at P.S Kalyanpuri, Delhi under section 308/323/354B/506/509/34 IPC and all the other consequential proceeding emanating therefrom is hereby quashed subject to petitioners depositing Rs. 5,000/- each as cost with Delhi High Court Advocates Welfare Fund (Account No. 15530110179338), maintained by UCO Bank, Delhi High Court, within a period of one month.

10. Petition is allowed and disposed of accordingly.



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

**RAVINDER DUDEJA, J**

**JULY 28, 2025**

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HIGH COURT OF DELHI



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