



2025:DHC:9473



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 29.10.2025

+ CRL.M.C. 9811/2024 & CRL.M.A. 37610/2024 STAY,
CRL.M.A. 37611/2024 EXEMPTION FROM FILING CLEAR
AND TYPED COPIES ETC.

AJAY KHANNA & ANR.Petitioners

Through: Mr. Ranjeet Mishra, Adv.
Petitioner no. 1 is present
through VC. Petitioner no. 2 in
person.

versus

STATE GOVT OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Tarang Srivastav, APP with
SI Narender Singh, Police
Station Chittranjan Park.
R-2 is present through VC.

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. 61/2024, dated 31.01.2024, registered at P.S Chittranjan Park, Delhi under Sections 336/288 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.



2. As per allegations made in the FIR, due to petitioners ongoing basement construction severe structural damage was caused to adjoining property belonging to respondent no. 2, including cracks and floor sinking. The construction allegedly continued despite wet soil conditions and absence of safety measures. Chargesheet has since been filed under sections 288/336 IPC against the petitioners.

3. During the course of proceedings, the parties amicably resolved their disputes and executed a Settlement letter dated 21.07.2024. It is submitted that petitioners have repaired the damages caused to respondent no. 2's property as per the terms of the settlement. Copy of the Settlement letter dated 21.07.2024 has been annexed as Annexure P-3.

4. Petitioner no. 2 is physically present before the Court while Petitioner no. 1 and Respondent no. 2 have entered their appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer SI Narender Singh, from PS Chittranjan Park.

5. Respondent confirms that the matter has been amicably settled with the petitioners without any force, fear, coercion and he has no objection if the FIR No. 61/2024 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. 61/2024 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. 61/2024, dated 31.01.2024, registered at P.S Chittranjan Park, Delhi under section



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336/288 IPC and all the other consequential proceeding emanating therefrom is hereby quashed.

11. Petition is allowed and disposed of accordingly.

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

RAVINDER DUDEJA, J

October 29, 2025

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