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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 30.10.2025

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CRL.M.C. 7575/2025, CRL.M.A. 31718/2025 EXEMPTION

SH. DHARMENDRA KUMAR

.....Petitioner

Through:

Mr. Akash Mishra, Mr. Naresh Kumar and Mr. Mayank Bansal, Advs.

Petitioner in person.

versus

THE STATE (GOVT OF NCT OF DELHI) & ANR.

... Respondents

Through:

Ms. Kiran Bairwa, APP with SI Harsh, P.S.Paharganj and SI Yogender Kumar, P.S. Sarai Rohilla.

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. 66/2021, dated 22.03.2021, registered at P.S Paharganj, Delhi under Sections 354/354(A)/354(B)/506 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.



2. As per allegations made in the FIR, petitioner appointed the Respondent No.2 as an employee in his Trust and on false assurances took money in name of his Trust. Subsequently on 19.12.2018 petitioner took respondent no. 2 to a hotel where after drinking some liquid provided by the petitioner she fell unconsciousness and upon regaining consciousness petitioner had removed her clothes and sexually assaulted her and further made a video of her with threats to make it viral. Chargesheet has since been filed under section 354/354A/354B/506 IPC against the petitioner.

4. During the proceedings, the parties amicably resolved their disputes without any money consideration and executed a Memorandum of Understanding cum Settlement Agreement dated 03.09.2025, copy of which has been annexed as Annexure P-7.

5. Parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Harsh from PS Paharganj.

6. Respondent No. 2 confirms that the matter has been amicably settled with the petitioner without any force, fear, coercion and she has no objection if the FIR No. 66/2021 is quashed against the Petitioner.

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. 66/2021 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. In the interest of justice, the petition is allowed, and the FIR No. 66/2021 dated 22.03.2021, registered at P.S Paharganj, Delhi under



section 354/354(A)/354(B)/506 IPC and all the other consequential proceeding emanating therefrom is hereby quashed subject to petitioner depositing cost of Rs. 25,000/- with Delhi State Legal Services Authority within one month.

12. Petition is allowed and disposed of accordingly.
13. Pending application(s), if any, also stand disposed of.

RAVINDER DUDEJA, J

October 30, 2025
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