



2025:DHC:3426



\$~67

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

Date of Decision: 02.05.2025

+ W.P.(CRL) 835/2025, CrI. M.A. 7776/2025

VISHAL MALIK & ANR.

.....Petitioners

Through: Mr. Madhav Khurana, Sr. Adv.
with Ms. Shaurya Singh, Mr.
Adarsh Priyadarshni & Mr.
Apoorv Shankar, Advs.

versus

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

.....Respondents

Through: Mr. Sanjay Lao, Standing
Counsel for State.
Insp. Umed Singh DIU/Rohini

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

SHALINDER KAUR, J (ORAL)

1. The petitioners have invoked the jurisdiction of this court under Article 226 of the Constitution of India, 1950 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) seeking quashing of the FIR bearing No. 76/2025 dated 15.02.2025 (subject FIR) for the offences under Section 125/3(5) of Bharatiya Nyaya Sanhita, 2023, and Sections 25/27 of Arms Act registered at Police Station Kanjhawala and all consequential proceedings arising therefrom.

2. It is submitted on behalf of the parties that the petitioner No. 1



2025:DHC:3426



is serving in Delhi Police and complainant/respondent no.2 is brother-in-law of respondent No. 2. The dispute arose between wife of petitioner no.1 and respondent no. 2 due to some misunderstanding, whereafter the subject FIR came to be lodged.

3. It is submitted that with the intervention of the well-wishers, family members, relatives and mutual acquaintances, the entire dispute has now been voluntarily settled between the parties *vide* Settlement Agreement dated 15.02.2025.

4. The present petition is premised on the aforesaid assertion that the dispute *inter se* the parties stand amicably resolved, of their own volition, uninfluenced by any coercion, compulsion or undue inducement. In furtherance thereof, a Memorandum of Understanding (MoU)/Settlement agreement dated 15.02.2025, has been duly executed between the petitioners and respondent No. 2. The MoU dated 15.02.2025 outlining the terms of settlement has been placed on record.

5. Pursuant to this Settlement, the Statement of the parties have been recorded by the Joint Registrar (Judicial) on 07.04.2025 and they have been duly identified by the Investigating Officer and their respective counsels. The respondent no. 2, in his statement before the Joint Registrar (Judicial), has stated, that he has no objection, if the subject FIR and all the proceedings emanating therefrom is quashed.

6. Before this Court, the Investigating Officer has again identified the parties and they have confirmed in the statement made to this Court that they are abiding by all the terms of the Settlement. The respondent no. 2 has given No Objection to quashing of the FIR. An



affidavit to this effect is also placed on record.

7. In view of the foregoing, the learned counsel for the parties, jointly pray for the quashing of the subject FIR.

8. In these circumstances, in line with the law laid down by the Supreme Court in *Gian Singh vs. State of Punjab & Anr.*: (2012) 10 SCC 303 as also in *Narinder Singh & Ors. vs. State of Punjab & Anr.*: (2014) 6 SCC 466 and considering the nature of the dispute and the fact that the settlement between the contesting parties have been amicably entered into, thus, this Court sees no reason, why the subject FIR and all the proceedings emanating therefrom should not be quashed. Continuing with the subject FIR and all subsequent proceedings would be a futile exercise, which would not be conducive to peace and harmony between the parties and amount to abuse of process of Court.

9. In view of the above facts, and the settlement arrived between the parties *vide* Memorandum of Understanding dated 15.02.2025, the FIR No. 76/2025 dated 15.02.2025 (subject FIR) for the offences under Section 125/3(5) of BNS Act and 25/27 of Arms Act registered at Police Station Kanjhawala and all consequential proceedings arising therefrom, are hereby quashed.

10. Needless to say, due to the registration of FIR, the State machinery has been put to motion and a lot of precious public time has been consumed, therefore, ends of justice would be met if the petitioners are put to cost.

11. The learned counsel, on instructions from respondent no.2, who is present in person in Court, has come forward and agreed to



2025:DHC:3426



contribute an amount of Rs.10,000/- for welfare purposes.

12. Accordingly, the respondent no. 2 is directed to deposit Rs. 10,000/- with Delhi High Court Legal Services Committee within two weeks from today and receipt of the same be placed on record.

13. The present petition is, accordingly, disposed of, in the aforesaid terms.

SHALINDER KAUR, J

MAY 02, 2025/ab/kp

Click here to check corrigendum, if any