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

+ **CRL.M.C. 8340/2023**

SACHIN SHARMA & ORS.

.....Petitioner

Through: Ms. Naina walia, Mr. Lalit yadav &
Mr. Ajit Siwach, Advocates.

versus

STATE NCT OF DELHI & ANR.

.....Respondent

Through: Mr. Satish Kumar, APP for the State
with SI Dharamveer
Mr. Shivam Sharma (D/456/2009)
Mr. Balram (D/7156/2018) Ms. Nisha
Ranga (D/5971/2017) Mr. Rahul Dev
(D/6381/2022) Mr. Saurabh Mathur
(D/5714/2024), Advocates
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

09.12.2024

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1. The instant writ petition earlier Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS" hereinafter) [earlier under Section 482 of the Code of Criminal Procedure, 1973 (hereinafter "Cr.P.C.")] has been filed on behalf of the petitioners praying for quashing of FIR bearing No. 78/2022, registered at Police Station – Chhawala, Delhi for offences punishable under Sections 451/325/506/34 of the Indian Penal Code, 1860 (hereinafter "IPC").

2. The brief facts of the case are that on 19th October, 2021, the



petitioners herein forcefully entered the respondent no. 2's house and started hitting the respondent no. 2, which led to the filing of the instant FIR. A cross FIR bearing no. 503/2021 was also registered by the petitioner no. 4 herein against the respondent no. 2 herein and his family members.

3. Learned counsel for the petitioners submitted that with the intervention of family members and relatives, the parties herein have entered into a settlement vides Memorandum of Understanding (MoU)/Settlement Agreement dated 10th May, 2024. The terms and conditions of the said settlement are mentioned in the MoU which is annexed as Annexure P-3 to the instant petition.

4. Therefore, it is prayed that the instant FIR be quashed on the basis of settlement arrived at between the parties and in accordance with the settled law on this point as posited by the Hon'ble Supreme Court. At this juncture, the petitioners appearing in-person also undertakes to not repeat the same conduct in the future.

5. Mr. Satish Kumar, learned APP for the State submitted that there is no opposition to the prayer made by the petitioners seeking quashing of the aforesaid FIR in view of the settlement arrived at between the parties.

6. Heard learned counsel for the parties and perused the record.

7. In the case of **Gian Singh vs. State of Punjab, (2012) 10 SCC 303**, the Hon'ble Supreme Court observed quashing of the FIR on the basis of amicable resolution of disputes. It is further observed that if the High Court is of the view that continuation of criminal proceedings between the parties would amount to abuse of process of law despite the settlement or compromise between the parties, the same may be quashed.

8. The petitioners are present before this Court and they have been



identified by their counsel and the Investigating Officer. The respondent no. 2 is also present in the Court and has been identified by the Investigating Officer.

9. On the query made by this Court, respondent no.2 has categorically stated that he has entered into compromise on his own free will and without any pressure. It is also stated by respondent no.2 that the entire dispute has been amicably settled between the parties. The parties also undertook that they shall abide the terms and conditions of the Settlement Agreement arrived at between the parties.

10. It is further observed that the respondent no. 2 gave his no objection for the quashing of the aforesaid FIR vide his affidavit dated 19th October, 2023, which is annexed at Page no. 29 to the instant petition.

11. Keeping in view of the fact that parties have settled the matter and no objection given by the respondent no. 2 alongwith the cross FIR bearing No. 503/2021 being quashed by order of an even date in CRL.M.C. 9703/2024 as well as the undertaking given by the petitioners, no useful purpose would be served by keeping the instant matter pending. Accordingly, FIR bearing No. 78/2022, registered at Police Station – Chhawala, Delhi for offences punishable under Sections 451/325/506/34 of the IPC and all consequential proceedings emanating therefrom are quashed.

12. The petition stands disposed of along with pending applications, if any.

CHANDRA DHARI SINGH, J

DECEMBER 9, 2024

NA/mk

[Click here to check corrigendum, if any](#)