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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 7014/2024

SURENDER PAL SINGH @ RAJAPetitioner
Through: Mr. A.K. Pandey, Advocate

versus

THE STATE OF NCT OF DELHI AND ORS. ...Respondents
Through: Mr. Satish Kumar, APP for the State
with SI Kapil Beniwal
Ms.Vandana Arya, Advocate for R-2
& 3 with R-2 & 3 in person

CORAM:
HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER
29.11.2024

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1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter “BNSS”) has been filed by the petitioner praying for quashing of FIR bearing No.215/2021, registered at Police Station Punjabi Bagh, Delhi, for offence punishable under Section 307 of the Indian Penal Code, 1860 (hereinafter “IPC”).

2. The petitioner is present before this Court and has been identified by his counsel Mr. A.K. Pandey and Investigating Officer (“IO” hereinafter) SI Kapil Beniwal, Police Station – Punjabi Bagh, New Delhi. The respondent Nos.2 & 3 are also present before this Court and have been identified by their counsel and the IO.

3. The brief facts of the case are that on 15th March, 2021, the complainant was standing near a grocery store, where the petitioner was



passing by, hurling abuses at the complainant. On the complainant's protest, the petitioner allegedly tried to stab the complainant with a knife.

4. Both the parties entered into settlement vide Memorandum of Understanding (MoU) dated 29th August, 2024 which is annexed as Annexure E and have settled all their disputes amicably as per the terms & conditions of the said MoU.

5. On the query made by this Court, the respondent nos. 2 & 3 have categorically stated that they have entered into compromise on their own free will and without any pressure that the entire dispute has been amicably settled between the parties. The respondent nos. 2 & 3 have no objection if the aforesaid FIR is quashed.

6. It is prayed by the learned counsel appearing on behalf of the parties that the instant FIR may be quashed on the basis of the compromise between the parties. At this juncture, the petitioner appearing in-person also undertakes to not repeat the same conduct in the future.

7. Learned APP for the State submitted that there is no opposition to the prayer made on behalf of the petitioner seeking quashing of the FIR in question in view of the settlement arrived at between the parties. It is also submitted that as per the status report, the petitioner has no criminal antecedents. It is further submitted that as per the MLC, the injury caused was simple in nature.

8. In the case of ***Narinder Singh v. State of Punjab***, (2014) 6 SCC 466, the Hon'ble Supreme Court held that whenever there is a quarrel between the parties leading to physical commotion and sustaining of injury, there is a tendency to charge the accused under Section 307 of the IPC and in such cases, the Court should consider the nature of the injury inflicted by



the accused while deciding the question of quashing of criminal proceedings initiated against such accused. In the present case, the injury inflicted by the accused was simple in nature.

9. Keeping in view the fact that parties have settled the matter, the simple nature of the injury, the clean antecedents of the petitioner as well as the undertaking given by the petitioner, no useful purpose would be served by keeping the matter pending. Hence, FIR bearing no. 215/2021, registered at Police Station Punjabi Bagh, Delhi, for offence punishable under Section 307 of the IPC and consequent proceedings emanating therefrom are quashed.

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

CHANDRA DHARI SINGH, J

NOVEMBER 29, 2024

Rt/st

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