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

+ **CRL.M.C. 8677/2024**

**VIPIN KUMAR & ORS.**

....Petitioners

Through: Mr. Amit Lamba and Mr. Mahesh  
Sharma, Advocates with petitioners  
in person

versus

**STATE GOVT. OF NCT OF DELHI AND ORS.** ....Respondents

Through: Mr. Raghuinder Verma, APP for the  
State with ASI Ram Singh  
Mr. Mohd. Sarik, Advocate along  
with Respondent no. 2 & 3 in person

**CORAM:**

**HON'BLE MR. JUSTICE CHANDRA DHARI SINGH**

**ORDER**  
**16.12.2024**

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1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter “BNSS”) [earlier under Section 482 of the Code of Criminal Procedure, 1973 (hereinafter “Cr.P.C”) has been filed on behalf of the petitioners seeking for quashing of FIR bearing No.374/2024, registered at Police Station - Bindapur, Delhi, for offences punishable under Sections 110/126(2)/3(5) of Bharatiya Nyaya Sanhita, 2023 (hereinafter “BNS”) and the consequential proceedings emanating therefrom.

2. Issue notice.

3. Learned APP for the State accepted notice on behalf of the respondent no.1 and the learned counsel for respondent no. 2 and 3 accepted notice on behalf of respondent Nos.2 and 3, who are also present in Court.



4. The brief facts of the case are that a dispute arose between the petitioners and the respondent no. 2 and 3, which resulted in respondent no. 2 and 3 incurring injuries. Accordingly, the instant FIR was registered against the petitioners.

5. Learned counsel for the petitioners submitted that with the intervention of well-wishers and family members, both the parties entered into settlement vide Memorandum of Understanding (MoU)/Settlement Deed dated 9<sup>th</sup> September, 2024. The terms and conditions of the said settlement are mentioned in the said deed, which is annexed as Annexure P-2 to the instant petition.

6. In light of the foregoing, it is prayed that the instant FIR may be quashed on the basis of the compromise 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 undertake not to 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 petitioners seeking quashing of the FIR in question in view of the settlement arrived at between the parties, however, it is submitted that cost may be imposed upon the petitioners as the FIR was registered and considerable judicial time has been wasted.

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

9. 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 irrespective of the settlement or compromise between the parties, if the High Court is of the view that continuation of criminal proceedings between the parties would



amount to abuse of process of law, the same may be quashed.

10. The petitioners are present before this Court and have been identified by their counsel Mr. Amit Lamba, Advocate and the Investigation Officer (hereinafter “IO”) ASI Ram Singh, Police Station Bindapur. The respondent Nos.2 and 3 are also present in the Court and has been identified by their counsel Mr. Mohd. Sarik, Advocate and by IO.

11. On the query made by this Court, respondent Nos.2 and 3 has categorically stated that they have entered into compromise on their own free will and without any pressure. It is also stated by respondent Nos.2 and 3 that the entire dispute has been amicably settled between the parties.

12. Keeping in view the fact that parties have settled the matter as well as undertaking given by the petitioners, no useful purpose would be served by keeping the matter pending. Hence, FIR bearing No.374/2024, registered at Police Station - Bindapur, Delhi, for offences punishable under Sections 110/126(2)/3(5) of the BNS and consequent proceedings emanating therefrom are quashed subject to the deposition of the cost of Rs.30,000/- in the account of Army Central Welfare Fund, Saving Account no. 520101236373338 (IFSC- UBIN0530778), Bank Name- Union Bank of India, Branch- Chandni Chowk, Delhi – 110006 within a period of two weeks. The receipt to the payment of the aforesaid cost shall be furnished before the IO as well as the Registry of this Court within two weeks.

13. The petition along with pending applications stands disposed of.

**CHANDRA DHARI SINGH, J**

**DECEMBER 16, 2024/Rt/mk**

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