



\$~71.

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

+ CRL.M.C. 9236/2024 & CRL.M.A. 35420/2024 & CRL.M.A.
35421/2024

BIJENDER SINGH & ORS.

.....Petitioners

Through: Mr. Jatin Rajput, Mr. Rajesh Kumar
Jha, Mr. Varun Panwar, Mr.
Himanshu Jain & Mr. Sandeep, Advs.

Versus

**STATE NCT OF DELHI THROUGH SHO PREM NAGAR POLICE
STATION & ORS.**

.....Respondents

Through: Mr. Satish Kumar, APP for State.
SI Kamal Chaudhary PS Prem
Nagar.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

10.12.2024

%

1. The present petition has been filed under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 read with Section 482 of the Code of Criminal Procedure, 1973 for quashing of F.I.R No. 434/2020, dated- 22.09.2020, registered under Section 323/325/451/34 of IPC at P.S. Prem Nagar (Rohini District), Delhi and all the other proceedings emanating therefrom.
2. Briefly stated the facts are that the parties are relatives and a quarrel took place between them due to some misunderstanding which



resulted in the registration of two cross FIRs. However, learned counsels for the parties submitted that the parties have settled the dispute amicably with the intervention of elderly people and friends and have now entered into a settlement agreement. Learned counsels have submitted that the settlement agreement has been filed vide diary no.5801499/2024, but it is not on record.

3. Let the settlement agreement be brought on record.
4. All the parties are present in Court and have been duly identified by the Investigation Officer. The complainants submit that they have entered into the settlement voluntarily without any fear, force, or coercion and have no objection if the F.I.R No. 434/2020, dated- 22.09.2020, registered under Section 323/325/451/34 of IPC at P.S. Prem Nagar (Rohini District), Delhi, and all the other proceedings emanating therefrom are quashed.
5. The High Court is the highest Court of the State and is conferred with the power of control and superintendence over all courts subordinate to it. Besides Articles 226 and 227, Section 482 Cr.P.C. also acknowledges the inherent power of the high court to secure the ends of justice. In cases where the offences are not compoundable in nature, the parties on account of an amicable settlement invoke the inherent power under Section 482 Cr.P.C. for quashing the proceedings on the plea that continuance thereof would merely be an abuse of process of law.
6. The Courts have repeatedly held that if the dispute is private in nature and parties have entered into the settlement at their own free will, the quashing of the proceedings may be done. However, the Courts have



to satisfy themselves that the settlement so entered into is within the four corners of the law.

7. In the case of *Narinder Singh & Ors. V. State of Punjab & Anr.* (2014) 6 SCC 466, it was *inter-alia* held that criminal cases having overwhelmingly and predominantly of civil character should be quashed when the parties have resolved their entire disputes among themselves. Therefore, in the present case, predominantly, it is a private dispute, and the parties have settled the matter.
8. Taking into account the totality of facts and circumstances of the case, this Court considers that as the parties have entered into an amicable settlement, out of their own free will, without any fear, force or coercion and they should be given an opportunity to lead their lives peacefully. No purpose will be served in continuing with the trial.
9. In view of the above, F.I.R No. 434/2020, dated- 22.09.2020, registered under Section 323/325/451/34 of IPC at P.S. Prem Nagar (Rohini District), Delhi, and all the other proceedings emanating therefrom are quashed, subject to the deposition of cost of Rs.10,000/- each upon the petitioners to be deposited with the Delhi High Court Staff Employees' Welfare Fund, within four weeks from today.
10. The present petition along with the pending applications, if any, stands disposed of.

DINESH KUMAR SHARMA, J

DECEMBER 10, 2024

‘pp’/’ht’