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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 9993/2024**

RAM LAL & ORS.

.....Petitioners

Through: Mr. Jatin Nanda, Adv.
along with all the six
petitioners in person.

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Naresh Kumar
Chahar, APP for the State.
SI Kuldeep, PS Prem
Nagar.
Mr. Naresh Kumar, Adv.
for R-2 along with R-2 in
person.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **19.12.2024**

CRL.M.A. 38319/2024 (exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The present petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('**BNSS**'), seeking quashing of FIR No.627/2024 dated 27.11.2024, registered at Police Station Prem Nagar, for offences under Sections 115(2)/126(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023, ('**BNS**') including all consequential proceedings arising therefrom. The said FIR was registered on a complaint given by Respondent No.2/complainant.

4. It is averred that the parties, at the relevant time, were neighbours. Due to some misunderstanding, a minor alteration took place between the parties, which led to the registration of

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the present FIR.

5. The alleged incident, which happened on 27.11.2024, led to the registration of cross-FIRs, that is, the present FIR and the FIR No. 626/2024, registered at Police Station Prem Nagar, for offences punishable under Sections 115(2)/126(2)/3(5) of the BNS. The learned counsel for the petitioners submits that the cross FIR being FIR No.626/2024, which was registered at the instance of the petitioners, has also been quashed by a Coordinate Bench of this Court by order of even date in a separate petition being CRL. M.C 10016/2024 titled as '*Sahzaad & Ors. v. State Govt. NCT of Delhi & Anr*'.

6. The present petition is filed on the ground that the matter has been amicably settled between the parties, with the intervention of well wishers, and that they have also entered into a Memorandum of Understanding dated 12.12.2024, on their own free will, without any threat, force, coercion or misrepresentation.

7. The learned counsel for the petitioners submits that the parties have resolved all their disputes and have decided to live their lives peacefully.

8. He submits that the petitioners have unconditionally apologised for their behaviour and they undertake to not indulge into any such activity in the future.

9. The petitioners are present in Court today. They state that they have since unconditionally apologized for their behaviour and have decided to bury their disputes.

10. All the petitioners and Respondent No. 2 are present in person in Court today and have been duly identified by the Investigating Officer.

11. Respondent No. 2, on being asked, state that he is satisfied
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with the apology tendered by the petitioners and being neighbours, he has decided to move on in his life and bury his disputes. He further states that he does not wish to pursue the proceedings arising out of the present FIR, and has no objection if the proceedings are quashed.

12. Offences under Sections 115(2)/126(2)/3(5) of the BNS are compoundable in nature.

13. In the present case, Respondent No. 2 has stated that he has no remaining grievance against the petitioners, who are his neighbors, and that he is satisfied with the petitioners' unconditional apology. In the peculiar circumstances of this case, it is unlikely that the present FIR will result in a conviction when Respondent No. 2 does not wish to pursue the case. In such circumstances, continuance of the proceedings would only cause undue harassment and ill will to fester amongst the parties.

14. Keeping in view the nature of the dispute and the fact that the parties have amicably settled the dispute, this Court feels that no useful purpose would be served by keeping the dispute alive and continuance of the proceedings would amount to abuse of the process of Court. I am of the considered opinion that it is a fit case to exercise discretionary jurisdiction under Section 528 of the BNSS, 2023.

15. In view of the above, FIR No. 627/2024 and all consequential proceedings arising therefrom are quashed.

16. The present petition is allowed in aforesaid terms.

AMIT MAHAJAN, J

DECEMBER 19, 2024
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