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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 10027/2024, CRL.M.A. 38462/2024, CRL.M.A. 38463/2024

ABHISHEK & ORS.

.....Petitioners

Through: Mr. Ankit, Ms. Divya and Mr. Sudhir
Kumar, Advocates along with the
petitioners

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Yudhvir Singh Chauhan, APP for
State with W/SI Sonia, P. S. Bharat
Nagar

CORAM:
HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER
20.12.2024

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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 praying for quashing of FIR bearing No. 178/2019 registered at Police Station Bharat Nagar, New Delhi for offences punishable under Sections 354/323/341/34 of the Indian Penal Code, 1860 (hereinafter "IPC").
2. The brief facts of the case are that a dispute arose between the



petitioners and the respondent no. 2 to 4 regarding the parking lot. The petitioners and respondent no. 2 to 4 are relatives and neighbours as well. Accordingly, the instant FIR was registered against the petitioners.

3. Learned counsel for the petitioners submitted that with the intervention of family members and relatives, the parties entered into settlement vide Compromise Deed dated 12th December, 2024. The terms and conditions of the said settlement are mentioned in the Compromise Deed dated 12th December, 2024 which is annexed as Annexure-C to the petition. It is submitted that the injuries incurred are simple in nature.

4. Therefore, it is prayed that the instant FIR be quashed on the basis of Compromise Deed dated 12th December, 2024 and in accordance with the settled law on this point as posited by the Hon'ble Supreme Court.

5. 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.

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 have been identified by their counsel Mr. Ankit and Investigating Officer W/SI Sonia, Police Station Bharat Nagar, New Delhi. The respondents no. 2 to 4 are also present in the Court and have been identified by the Investigating Officer.



9. On the query made by this Court, the respondents no.2 to 4 have categorically stated that they have entered into compromise on their own free will and without any pressure. It is also stated by respondents no.2 to 4 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. In the instant case, as stated above, the parties have reached on the compromise and amicably settled the entire disputes without any pressure.

11. In view of the settlement arrived at between the parties and the law laid down by the Hon'ble Supreme Court, the present petition is allowed. Accordingly, FIR bearing No. 178/2019 registered at Police Station Bharat Nagar, New Delhi for offences punishable under Sections 354/323/341/34 of the IPC and all consequential proceedings emanating therefrom are quashed.

12. The petition alongwith pending applications, if any, stand disposed of.

CHANDRA DHARI SINGH, J

DECEMBER 20, 2024
gs/mk

Click here to check corrigendum, if any