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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CRL.M.C. 197/2025**

**HARISH KUMAR @ AKUL PANDIT** .....Petitioner  
Through: Appearance not given.  
versus

**STATE GOVT. OF NCT OF DELHI AND ORS** .....Respondents  
Through: Mr. Satish Kumar, APP for the State  
along with SI Lekh Raj  
Mr. Lalit Vats and Mr. Akhilesh  
Sharma, Advocates for R-2 to R-4

**CORAM:**  
**HON'BLE MR. JUSTICE CHANDRA DHARI SINGH**  
**ORDER**  
% **30.01.2025**

**CRL.M.A. 1020/2025 (Exemption).**

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

**CRL.M.C. 197/2025**

3. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") [(earlier Section 482 of the Code of Criminal Procedure, 1973 (hereinafter "Cr.P.C.")] has been filed on behalf of the petitioner praying for quashing of FIR bearing No.742/2022 registered at Police Station - Vijay Vihar, Delhi for offences punishable under Sections 452/323/506/427/34 of the Indian Penal Code, 1860 (hereinafter "IPC").
4. The Joint Registrar (Judicial) *vide* order dated 16<sup>th</sup> January, 2025 has verified the facts and details of the instant matter.
5. The brief facts of the case are that on 25<sup>th</sup> October, 2022, the respondent nos. 2, 3 and 4 made a complaint with the SHO of Police Station



Vijay Vihar and accordingly the FIR No.742/2022 dated 25<sup>th</sup> October, 2022 registered at Police Station Vijay Vihar, Delhi for offences punishable under Sections 452/323/506/427/34 of the IPC was lodged against the petitioner.

6. Learned counsel for the petitioner submitted that with the intervention of family members and relatives, both the parties entered into settlement on 9<sup>th</sup> January, 2024 *vide* Compromise Deed/ Settlement/ Memorandum of Understanding (“MoU” hereinafter). The terms and conditions of the said settlement are mentioned in the settlement deed which is annexed as Annexure-B to the instant petition.

7. Therefore, it is prayed that the instant FIR may be quashed on the basis of the above said compromise and in accordance with the settled position of law as posited by the Hon’ble Supreme Court. At this juncture, the petitioner appearing in-person also undertakes to not repeat the same conduct in the future.

8. *Per contra*, Mr. Satish Kumar, learned APP for the State submitted that in case this Court is inclined to allow the instant petition and to quash the FIR in question in view of the settlement arrived at between the parties, cost may be imposed upon the petitioner as the instant FIR was registered in the year 2022 and a period of more than 2 years of judicial time is wasted.

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

10. The petitioner is present before this Court and has been identified by his counsel and Investigating Officer SI Lekh Raj, Police Station, Vijay Nagar, Delhi. The respondent nos.2, 3 & 4/complainants are also present in the Court and have been identified by their counsel and the Investigating Officer.

11. On the query made by this Court, the respondent nos.2, 3 &



4/complainants have 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, 3 & 4 that the entire dispute has been amicably settled between the parties and they do not want to pursue the aforesaid FIR any further. The parties also undertook that they shall abide by the terms and conditions of the Settlement Agreement arrived at between the parties.

12. In the case of ***Ramgopal and Ors. Vs. The State of Madhya Pradesh, 2021 INSC 568***, that the extraordinary power enjoined upon the High Courts under Section 482 of Cr.P.C. can be invoked even when such a case falls within the ambit of non-compoundable offences given that the Court must be satisfied that the nature of the offence does not impact the conscience of the society and that the compromise between the parties is voluntary and amicable.

13. Keeping in view the fact that parties have settled the matter as well as undertaking given by the petitioner, no useful purpose would be served by keeping the matter pending. Hence, FIR bearing No.742/2022 registered at Police Station - Vijay Vihar, Delhi for offences punishable under Sections 452/323/506/427/34 of the IPC and consequent proceedings emanating therefrom are quashed.

14. The petition along with pending application(s), if any, stands disposed of.

**CHANDRA DHARI SINGH, J**

**JANUARY 30, 2025**

Rk/anr

*Click here to check corrigendum, if any*