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

+ **CRL.M.C. 513/2025, CRL.M.A. 2442-2443/2025**

PREETI

.....Petitioner

Through: Mr. Mayank Mishra and Mr. Uday
Malhotra, Advocates.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Manu Padalia, Advocate for R-2.
Mr. Hemant Mehla, APP for State
with Mr. Satish Kumar, SI, PS-
Mangol Puri.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **29.05.2025**

1. The present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (earlier Section 482 of the Code of Criminal Procedure, 1973²) seeks quashing of FIR No. 398/2018 under Sections 323/341/34 of the Indian Penal Code, 1860³, registered at P.S. Mangolpuri, and all proceedings emanating therefrom. The chargesheet stands filed, wherein the Petitioner has been charge-sheeted under Sections 323/341 of the IPC.

2. Briefly stated, the case of the Prosecution against the Petitioner is based on a complaint filed by Respondent No. 2. According to the

¹ "BNSS"

² "Cr.P.C."

³ "IPC"



Complainant, he visited Sanjay Gandhi Memorial Hospital, Mangolpuri, at the request of the Medical Superintendent in connection with a meeting with the Chief Minister's Secretariat. He alleges that when he was attempting to leave the Hospital, approximately 20–25 security guards gathered near the lift to prevent him from exiting. When he proceeded to use the stairs, the Petitioner allegedly confronted and slapped him. The Complainant claims that the Petitioner assaulted him and forcibly resisted his exit from the hospital premises. Based on this complaint, the FIR was registered.

3. The parties state that, with the intervention of common friends, colleagues and other respectable members of society, Respondent No. 2 has amicably resolved the dispute with the Petitioner and has decided not to pursue the present FIR against him. Pursuant to this settlement, a Settlement Deed dated 22nd January, 2025, was executed between the Petitioner and Respondent No. 2.

4. A copy of the MoU has been placed on record and perused by the Court. As per its terms, Respondent No. 2 has mutually resolved all disputes and differences with the Petitioner and has agreed to voluntarily give his no objection to the quashing of the subject FIR.

5. During the course of the present proceedings, the statement of Respondent No. 2 (the Complainant) was recorded before the Joint Registrar of this Court on 21st May, 2025, wherein he confirmed that he has voluntarily and without any pressure or coercion from anyone, settled all his issues and disputes with the Petitioner. He stated that he has executed the MoU with the Petitioner out of his own free will, and has no objection to the quashing of the FIR.

6. In view of the settlement, the Complainant, who has appeared before



the Court in person, and is identified by his counsel, has unequivocally stated that he does not wish to pursue the FIR proceedings. He has confirmed that his decision to settle the matter is voluntary and made without any undue influence or coercion. In light of the amicable resolution between the parties, the Petitioner seeks quashing of the subject FIR and all proceedings arising therefrom.

7. The Court has considered the afore-noted. It is pertinent to note that the offences under Sections 323 and 341 of the IPC are compoundable, albeit with the permission of the Court, and only at the instance of the aggrieved parties. However, that does not debar the High Court from resorting to its inherent power under Section 528 of BNSS (formerly, Section 482 of Cr.P.C.) and pass an appropriate order so as to secure the ends of justice.

8. Having regard to the nature of the dispute and the fact that the aggrieved parties have amicably settled the matter, this Court is of the view that continuation of the criminal proceedings would serve no useful purpose. In the circumstances, this is a fit case for exercise of jurisdiction under Section 528 of BNSS, as the continuance of proceedings would amount to an abuse of the process of law and impede the ends of justice.

9. However, since the State machinery has been put to motion, ends of justice would be served if the Petitioners are put to cost. Accordingly, the present petition is allowed and the impugned FIR No. 398/2018, P.S. Mangolpuri, as well as all consequential proceedings arising therefrom are hereby quashed, subject to payment of a cost of INR 5,000/- by the Petitioner to the Delhi Police Welfare Fund, within a period of four weeks from today. The proof of payment of cost be submitted with the concerned



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10. The parties shall remain bound by the terms of settlement.

11. Accordingly, the petition is disposed of along with pending application(s).

SANJEEV NARULA, J

MAY 29, 2025

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