



2025:DHC:3348



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 06.05.2025

+ CRL.M.C. 577/2025 & CM APPLs. 2798-99/2025

HIMANSHU YADAV & ORS.Petitioners

Through: Mr. M. Naushad, Advocate
with all petitioners in persons.

versus

THE STATE (GOVT. OF NCT DELHI) & ANR.

... Respondents

Through: Mr. Satinder Singh Bawa, APP
for State with SI Ravi Rana,
DIU.Mr. Anish Kumar Singh,
Advocate for R-2 with R-2
(through VC)

CORAM:-

HON'BLE MR. JUSTICE RAVINDER DUDEJA

JUDGMENT (ORAL)**RAVINDER DUDEJA, J.**

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of FIR No. 0461/2023, dated 18.09.2023, registered at P.S Fatehpur Beri under sections 308/452/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. A quarrel took place between the Petitioners and Respondent No.2 whereby the Petitioners attacked the Respondent No.2 and his



2025:DHC:3348



father and brother with *lathi* and they sustained injuries. Thereafter, Respondent No.2 lodged the aforesaid FIR No. 0461/2023 against Petitioners. The charge sheet has already been filed. The Petitioner No.1 lodged a cross FIR No. 0462/2023 registered at P.S Fatehpur Beri under sections 324/341/34 IPC against the Respondent No.2 and his associates.

3. During the proceedings, the parties have amicably resolved their disputes with the intervention of friends and close relatives and executed a Memorandum of Understanding (MoU) dated 24.01.2025. In pursuance of the Settlement, it is submitted that the parties will cooperate and join the proceedings of quashing of the aforesaid FIR and will not file any other complaint against each other. The copy of Memorandum of Understanding (MoU) dated 24.01.2025 has been placed on record as Annexure B.

4. The matter was placed before the Joint Registrar, who has recorded the statements of both the parties and passed the following orders:-

“16.04.2025

Today, statement of respondent no. 2 (complainant) and statement of injured/victim father of Respondent no. 2, and injured/victim brother of Respondent no. 2 & 10 have been recorded to ascertain the veracity and the genuineness of the parties entering into settlement.



Respondent no. 2 injured/victim lodged FIR No. 461/2023, Under Section 308/452/34 IPC, at PS Fatehpur Beri, Delhi and charge-sheet has been filed against the petitioners.

The respondent and injured state that they have voluntarily and without any pressure or coercion from anyone, & with the intervention of friends and family members and after obtaining due legal advice settled all entered into compromise/MOU/Settlement dated 27.01.2025 which is on record as Annexure B at page no. 32-33 bearing their signatures. As per the settlement, the respondents have cumulatively received a sum of Rs. 50,000/- as compensation.

Respondents have settled all their disputes with the Petitioners without any pressure or coercion from anyone, and they undertake to cooperate in the quashing of the abovesaid FIR.

Respondents voluntarily without any pressure and coercion from anyone do not wish to pursue FIR No. 461/2023, Under Section 308/452/34 IPC, registered at PS Fatehpur Beri, Delhi in which the charge-sheet has already been filed.

Respondents further states that they have no objections whatsoever if the present FIR and all proceedings emanating there from against the petitioners are quashed.

Respondents undertake not to institute any other civil or criminal proceedings regarding the facts and circumstances leading to the registration of abovesaid FIR. It is stated that the respondents that did not sustain any major injury in the incident for which the abovesaid FIR was registered.

Today separate statement of 10 has also been recorded, in which he has stated that the injuries suffered by respondents as per medical opinion, are simple in nature; and that the petitioners do not have any prior involvement or conviction if any criminal case.

Respondent no. 2 and other injured have been duly identified by, their counsel & IO respectively.

This pre verified report along with the petition may be placed before the Hon'ble Court on **06th May, 2025** alongwith the statements recorded today.



5. Petitioner Nos. 1 to 3 are physically present before the Court while respondedent No. 2 has entered his appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer SI Ravi Rana, from PS DIU.

6. Respondent No.2 submits that the matter has been settled with the Petitioners without any force, fear, coercion and he has received the entire settlement amount of Rs. 50,000/- from the Petitioners. It is submitted that he has no objection if the FIR No. 0461/2023 is quashed against the Petitioners.

7. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 0461/2023 is quashed.

8. In ***Gian Singh Vs State of Punjab (2012) 10 SCC 303***, Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

"61. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceedings."



2025:DHC:3348



9. In view of the aforesaid circumstances and the fact that parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 0461/2023, dated 18.09.2023, registered at P.S Fatehpur Beri under sections 308/452/34 IPC alongwith charge sheet and all the other consequential proceeding emanating therefrom.

10. In the interest of justice, the petition is allowed, and FIR No. 0461/2023, dated 18.09.2023, registered at P.S Fatehpur Beri under sections 308/452/34 IPC alongwith charge sheet and all the other consequential proceeding emanating therefrom is hereby quashed.

11. Petition is allowed and disposed of accordingly.

12. Pending application(s), if any, also stand disposed of.

RAVINDER DUDEJA, J

MAY 06, 2025/AK