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

+ **W.P.(CRL) 357/2025**

ADITYA BERI

.....Petitioner

Through: Ms. Sukriti Mago Singh, Advocate
along with the petitioner in person

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr Sanjay Lao, SC with Mr. Priyam
Aggarwal, Advocate with IO/SI
Pooja, P.S. SJ Enclave
Ms. Jyoti Kataria, Advocate for R-2
along with respondent no. 2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

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28.02.2025

CRL.M.A. 3140/2025 (Exemption)

Exemption allowed subject to just exceptions.

The application stands disposed of.

W.P.(CRL) 357/2025

1. The instant petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") has been filed on behalf of the petitioner praying for quashing of FIR bearing No. 234/2024 dated 16th October, 2024 registered at Police Station - Safdarjung Enclave, Delhi for offences punishable under



Sections 74/75/79/115(2)/351(2) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter “BNS”).

2. The Joint Registrar (Judicial) vide order dated 11th February, 2025 has verified the facts and details of the instant matter.

3. Learned counsel for the petitioner submitted that on account of certain misunderstanding between the petitioner and the respondent no.2, a complaint was lodged against the petitioner by the respondent no.2, which resulted in registration of the instant FIR dated 16th October, 2024.

4. It is submitted that with the intervention of family members and relatives, the parties entered into settlement vide Memorandum of Understanding dated 20th December, 2024 (hereinafter referred as “MOU”). The terms and conditions of the said settlement are mentioned in the MOU which is annexed as Annexure-B to the instant petition.

5. Therefore, it is prayed that the instant FIR may be quashed on the basis of the above said MOU and in accordance with the settled position of law as posited by the Hon’ble Supreme Court.

6. Learned Standing Counsel for the State submitted that there is no objection to the prayer made on behalf of the petitioner seeking quashing of the FIR in question in view of the settlement arrived at between the parties.

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

8. The petitioner is present before this Court through video conferencing and has been identified by his counsel, Ms. Sukriti Mago Singh, Advocate and Investigating Officer SI Pooja, Police Station - Safdarjung Enclave, Delhi. The respondent No.2/complainant is also present in the Court through video conferencing and has been identified by her counsel, Ms. Jyoti Kataria, Advocate and the Investigating Officer.



9. On the query made by this Court, respondent no.2 has categorically stated that she has entered into compromise on her own free will and without any pressure. It is also stated by respondent no.2 that the entire dispute has been amicably settled between the parties and she does not wish to pursue the aforesaid FIR any further. 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. 234/2024 dated 16th October, 2024 registered at Police Station Safdarjung Enclave, Delhi for offences punishable under Sections 74/75/79/115(2)/351(2) of the BNS and all consequential proceedings emanating therefrom are quashed.

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

CHANDRA DHARI SINGH, J

FEBRUARY 28, 2025
gs/anr

Click here to check corrigendum, if any