



2025:DHC:10058



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 15.11.2025

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CRL.M.C. 726/2025

UPENDRA SINGH KUSHWAHA ALIAS MUNNA AND
ORS.PetitionersThrough: Mr. Sameer Chandra, Mr. W.
Ahmed, Mr. Afnan Saleem, Mr.
Fahasl Zia, Advs. along with
petitioner in person.

versus

STATE (NCT OF DELHI) & ORS.Respondents

Through: Mr. Nawal Kishore Jha, APP
with SI Abhimanyu, PS Sonia
Vihar.Mr. Dinesh Tiwari, Mr. Firoj
Khan, Ms. Anju K. Mishra,
Advs. for R-2 along with R-2 in
person.Ms. Harshita Singhal, Mr.
Mohit Mudgal, Ms. Vidya,
Advs. for R-3 along with R-3 in
person.**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, seeking quashing of FIR No. 227/2019, dated 08.09.2019, registered at PS Sonia Vihar, Delhi under sections



354/354(B)/452/323/341/506/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. As per allegations made in the FIR, on 01.09.2019 petitioners trespassed into the house of respondents, hurled abuses and physically assaulted them with sticks, caused injuries. Charge-sheet has since been filed under section 354/354(B)/452/323/341/506/34 IPC against the petitioners.

3. Ld. Counsel for the petitioners submitted that during the pendency of the trial, petitioners and respondent no. 2 entered into a settlement vide Memorandum of Settlement dated 16.01.2025. However respondent no. 3 took objection to the quashing of the FIR stating that no settlement took place with her as she was not made party to the MOU. The matter was therefore sent to mediation to explore the possibility of settlement.

4. It has been submitted that all concerned parties have now resolved their disputes before Delhi High Court Mediation and Conciliation Centre, Delhi High Court, New Delhi vide Settlement Agreement dated 08.08.2025. It is stated that Rs. 1,50,000/- (Rupees One Lac Fifty Thousand only) has been paid by petitioners to respondent no. 2 and in terms of the agreement dated 08.08.2025, out of the said sum, respondent no. 2 shall make payment of Rs. 1,40,000/- (Rupees One Lac Forty Thousand only) to respondent no. 3. The Copies of MOU dated 16.01.2025 & the Settlement Agreement dated 08.08.2025 are part of digital record.



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5. Parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Abhimanyu, PS Sonia Vihar.

6. Both Respondents confirm that the matter has been amicably settled with the petitioners without any force, fear, coercion and they have received the entire settlement amount in terms of the MOU and the Settlement Agreement and have no objection if the FIR No. 227/2019 is quashed against the Petitioners. Respondent no. 3 confirms having received demand draft of Rs. 1,40,000/- from respondent no. 2.

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. 227/2019 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."



9. Further, it is settled that the inherent powers under section 482 of the Code are required to be exercised to secure the ends of justice or to prevent abuse of the process of any court. Further, the High Court can quash non-compoundable offences after considering the nature of the offence and the amicable settlement between the concerned parties. Reliance may be placed upon *B.S. Joshi v. State of Haryana, (2003) 4 SCC 675*.

10. 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. 227/2019, dated 08.09.2019, registered at PS Sonia Vihar, Delhi under sections 354/ 354(B)/ 452/ 323/341/506/34 IPC and all the other consequential proceeding emanating therefrom.

11. In the interest of justice, the petition is allowed, and the FIR No. 227/2019, dated 08.09.2019, registered at PS Sonia Vihar, Delhi under sections 354/354(B)/452/323/341/506/34 IPC and all the other consequential proceeding emanating therefrom is hereby quashed.

12. Petition is allowed and disposed of accordingly.

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

RAVINDER DUDEJA, J

November 15, 2025

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