



2025:DHC:11678



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

% Date of decision: 20.12.2025

+ CRL.M.C. 833/2025

NAKUL SHARMA

.....Petitioner

Through: Mr. Rahul Jain, Mr. Karan
Arora, Ms. Deepa Rawat, Advs.
along with petitioner in person.

versus

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

.....Respondents

Through: Mr. Satinder Singh Bawa, APP
with SI Suraj Kumar, SI Rajesh,
PS South Campus.
Mr. Sumit Choudhary, Adv. for
R-2 to R-4 and R-2 and R-4 in
person. R-3 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, seeking quashing of FIR No. 120/2022, dated 08.06.2022, registered at P.S South Campus, Delhi under Sections 279/304A/337 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. As per allegations, the petitioner while driving a black Pulsar motorcycle bearing no. DL 6S AK 6500 struck against the brother of respondents no. 2 to 4 thereby causing his death. FIR was registered under sections 279/337/304A IPC. During investigation it was found that the petitioner did not have the valid insurance for the offending



vehicle and ultimately chargesheet was filed against the petitioner under sections 279/337/304A IPC & Section 146 & 196 of MV Act.

3. It is submitted that deceased was an unmarried person and is survived by respondents no. 2 to 4 as his legal representatives. It is further submitted that an amicable settlement has taken place between the petitioner and respondents no. 2 to 4 at Delhi Medication Centre, Patiala House Courts and an agreement dated 25.10.2024 has been executed in this regard. The agreement is signed by respondent no. 2 on behalf of herself and other two legal heirs.

4. As per the terms of settlement, petitioner has agreed to pay Rs. 5 Lacs as compensation to respondents no. 2 to 4. It is stated that the first installment of Rs. 2.5 Lacs has already been paid before the referral court at the time of disposal of the MACT case and balance amount of Rs. 2.5 Lacs has been paid today in the shape of a demand draft in the name of respondent no. 2. It is also submitted that in view of the amicable settlement, the MACT petition has been disposed of as compromised.

5. Petitioner as also respondent no. 2 and respondent no. 4 are physically present before the Court while respondent no. 3 has entered his appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officers SI Suraj Kumar & SI Rajesh, from PS South Campus.



6. Respondents confirm that the matter has been amicably settled with the petitioner without any force, fear, coercion and they have received the entire settlement amount and have no objection if the FIR No. 120/2022 is quashed against the petitioner.

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. 120/2022 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. While it is true that the offence under Section 279 of IPC is not an offence in personam, thereby that it affects society at large and not just the individual complainant, the Court must also take into account the practical realities of securing a conviction in the present case. The Supreme Court has consistently held that where the chances of conviction are remote due to an amicable settlement between the parties, the Court should consider whether continuing the prosecution would serve any meaningful purpose.

11. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion, it would be in the interest of justice, to quash the abovementioned FIR and the proceedings pursuant thereto.

12. The petition is allowed, and the FIR No. 120/2022, dated 08.06.2022, registered at P.S South Campus, Delhi under section 279/304A/337 IPC and all the other consequential proceeding emanating therefrom is hereby quashed.

13. Petition is allowed and disposed of accordingly.

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

RAVINDER DUDEJA, J

December 20, 2025

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