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

+ CRL.M.C. 918/2025

ANWAR HUSSAIN & ORS.

.....Petitioners

Through: Mr. Diwakar Upadhyaya, Advocate
along with petitioner no. 1, 3 and 4 in
person.
P-2 in person (through VC).

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Pradeep Gahlot, APP for the
State.
SI Ravi Malik, P.S Vasant Kunj, SI
Sandeep Yadav, P.S. Kapashera and SI
Lal Chand, V.K. South.
Mr. Rajiv Bhardwaj and Ms. Mansi
Bhardwaj, Advocates for Respondents
no. 2 to 5.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

05.05.2025

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1. This hearing has been done through hybrid mode.
2. Amended memo of parties has been filed. The same is taken on record.
3. The present petition under Section 528 of the BNSS has been filed seeking quashing FIR No. 301/2019, under Sections 323/308/34 of the IPC, registered at PS Vasant Kunj, South, and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Aparna Swami, learned ASJ, Patiala House Courts, Delhi.

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4. Learned counsel appearing on behalf of the petitioners submits that the present FIR was registered at the instance of respondent No. 2 on account of a water dispute between the parties. It is submitted that as a result of the said dispute, a cross-FIR, *i.e.*, FIR No. 300/2019, under Sections 323/308/34 of the IPC, was registered at P.S. Vasant Kunj, South, at the instance of petitioner No. 1 herein against the respondent Nos. 2 to 5.

5. It is further submitted that during the pendency of the aforesaid proceedings, parties have entered into a compromise/settlement deed dated 11.11.2024, pursuant to which parties have no objection to quashing of the cross FIRs. The cross FIR, *i.e.*, FIR No. 300/2019, under Sections 323/308/34 of the IPC, was registered at P.S. Vasant Kunj, South, subject matter of CRL.M.C. 917/2025, is being disposed of by a separate order of the even date.

6. Petitioner Nos. 1, 3 and 4, complainant/respondent No. 2, respondent Nos. 3 to 5 are present before the Court and petitioner No. 2 appears through video conferencing and have been duly identified by their respective counsels, as well as the Investigating Officer, SI Lal Chand, PS Vasant Kunj (South).

7. The matter was also placed before the learned Joint Registrar who has recorded the statements of both the parties and passed the following order dated 19.03.2025: -

“Today, statement of respondent no. 2 to 5 & IO has been recorded to ascertain the veracity and the genuineness of the parties entering into settlement. Respondent no. 2 lodged FIR No. 0300/2019, Under Section 323/308/34 IPC, registered at PS Vasant Kunj, South Delhi and charge-sheet has been filed against the petitioners. Respondent no. 2 states that he has 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 his issues and disputes with the petitioner and out of his free will have entered into compromise/MOU/Settlement executed on 13.11.2024 which is on record as Annexure P-2 at page no. 66

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to 68 bearing his signatures. The settlement has arrived at without any monetary or any other consideration.

Respondent no. 2 further states that he undertakes not to institute any other civil or criminal proceedings against the petitioners with regards to the incident for which the abovesaid FIR was registered. Respondent no. 2 has no objections whatsoever if the present FIR and all proceedings emanating there from against the petitioners are quashed. Respondent no. 2 has also given his affidavit in this regard which is at page 74-75 of the petition bearing his signatures.

Separate statement of Respondents no. 3 to 5 has also been recorded to the effect that they are the victims in the present petition and that they have no objections whatsoever if the present FIR and all proceedings emanating there from against the petitioners are quashed.

Separate statement of IO recorded to the effect that he has checked the previous involvement of the petitioners from NCRB/SCRB and they do not have any prior case registered against them.

Respondent no. 2 to 5 have been identified by their counsel & IO.

CRL.M.C. 917/2025 titled as Jinnat Ali & Ors Versus State Govt. of NCT of Delhi is a cross case between the parties in which today itself statement of parties has been recorded giving their NOC for quashing of cross case.

This pre verified report along with the petition may be placed before the Hon'ble Court **on 28th March, 2025** alongwith the statements recorded today with connected/cross case No. CRL.M.C. 917/2025..”

8. Respondent Nos. 2 to 5 state that the matter has been settled with the petitioners and they have no objection if the FIR is quashed.
9. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR is quashed.
10. In *Gian Singh v. State of Punjab*, (2012) 10 SCC 303, the Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

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“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 proceeding.”

11. In view of the aforesaid circumstances, and the fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 301/2019, under Sections 323/308/34 of the IPC, registered at PS Vasant Kunj, South, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Aparna Swami, learned ASJ, Patiala House Courts, Delhi.

12. In the interest of justice, the petition is allowed, and the FIR No. 301/2019, under Sections 323/308/34 of the IPC, registered at PS Vasant Kunj, South, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Aparna Swami, learned ASJ, Patiala House Courts, Delhi, is hereby quashed.

13. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MAY 5, 2025/bsr

[Click here to check corrigendum, if any](#)

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