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

+ **CRL.M.C. 1300/2025**

SH HARSH @ HARSH VARDHAN & ORS.Petitioners

Through: Mr. Akhil Sharma, Advocate with
Petitioners.

versus

THE STATE GOVT OF NCT OF DELHI & ORS.Respondents

Through: Mr. Yudhvir Singh Chauhan, APP for
the State.
Counsel for Complainant (appearance
not given).
Complainant present (through VC)

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **27.05.2025**

CRL.M.A. 5817/2025 (Exemption)

1. Exemption allowed subject to all just exceptions.
2. The Application stands disposed of.

CRL.M.C. 1300/2025

3. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*), (*old Section 482 of the Code of Criminal Procedure, 1973*) has been filed on behalf of the Petitioners for quashing the FIR No. 44/2013 under Section 323/354/34 of the Indian Penal Code, 1860 registered at Police Sttion Ghazipur, Delhi, Charge Sheet under Section 323/354/34 IPC and consequential proceedings emanating therefrom.



4. Issue Notice.
5. Learned APP has appeared on behalf of the State.
6. It is submitted that the parties were residents of the same colony and had fight on 26.01.2023 resulting in registration of the said FIR.
7. With the intervention of the members of the colony and friends, the parties have finally settled their dispute *vide* mutual Agreement dated 07.02.2025. Pursuant to which, Rs.50,000/- has been paid by the Petitioner/Accused to the Respondent Nos. 2, 3 and 4. Hence, it is submitted that in view of the Settlement, the said FIR, Charge-Sheet and the other consequential proceedings may be quashed.
8. Respondent No. 2/Complainant has appeared through video-conferencing and has submitted that though allegations were made of snatching of gold chain and of Rs.16,400/- but now after 13 years, she has realized that amount and the chain were in the purse, which fell on the spot and no theft of either chain or money was committed. She further states that that she has no objection if the FIR is quashed.
9. Perusal of the FIR also shows that essentially, it was a neighborhood dispute more than the case of outraging the modesty.
10. The Statement of the parties have already been recorded before the learned Joint Registrar. They have entered into the Settlement voluntarily and without any fear and coercion and undertake to remain bound by the terms of the said Settlement.
11. The experience of the Court, shows that Section 354 IPC is completely misused and abused by the parties for settling their scores and eventually, these matters are getting compromised. Rest is evident from the proceedings, it is essentially a neighborhood dispute. In view of the



Settlement dated 07.02.2025, the FIR No. 44/2013 under Section 323/354/34 IPC registered at Police Station Ghazipur, Delhi, Charge Sheet under Section 323/354/34 IPC and consequential proceedings emanating therefrom, are hereby quashed but in the considering circumstances, Rs.10,000/- cost is imposed on the Respondent No. 2/Complainant, who shall deposit the said amount within seven days with the Delhi High Court Advocates' Welfare Trust failing which the matter be put up before the learned Registrar General for the recovery of the said cost.

12. The Petition is disposed of accordingly.

NEENA BANSAL KRISHNA, J

MAY 27, 2025/RS