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

+ **CRL.M.C. 1306/2025**

RUSHAL GARG

.....Petitioner

Through: **Ms. Abiha Zaidi, Advocate**

versus

**STATE NCT OF DELHI THROUGH STATION HOUSE OFFICER
& ANR.**

.....Respondents

Through: **Mr. Nawal Kishore Jha, APP for the
State with SI Yashpal Singh, P.S.
CWC Nanakpura, New Delhi.
Ms. Trisha Mittal & Mr. Nishant
Sharma, Advocates for R-2. (through
VC)**

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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11.03.2025

1. The present petition has been filed by the Petitioner under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') seeking the following reliefs: -

To allow the present Petition under Section 528 Bhartiya Nagarik Suraksha Sanhita, 2023 and quash FIR bearing No. 349/2023 u/s 498A/406/506/34 Indian Penal Code, 1860 lodged with PS: Dwarka Sector – 23 and all the subsequent proceedings arising thereof in light of the Settlement Agreement dated 30.01.2025 executed before Delhi High Court Mediation & Conciliation Centre bearing M & C File No. 3538/2024.

2. Petitioner No. 1 appeared through VC, and is identified by his Counsel.



3. Learned counsel for the Petitioner states that the parties have amicably resolved the matter and have entered into a Settlement Agreement dated 30.01.2025 before SAMADHAN, Delhi High Court Mediation & Conciliation Centre.

4. Respondent No. 2 also appeared through VC and is identified by her Counsel. This Court has interacted with her. She confirms that she has executed the Settlement Agreement and executed an affidavit recording her no objection.

5. In light of the practice directions dated 24.12.2024 issued by the Hon'ble the Acting Chief Justice in relation to dealing with the petitions seeking quashing of FIR based on compromise, the learned Joint Registrar (Judicial) vide order dated 07.03.2025 has recorded the statement of the parties that they have amicably resolved their disputes and have entered into Settlement Agreement, as per the details set-out in that order.

6. Keeping in view the nature of the dispute and the fact that the parties have amicably settled the dispute and considering the chances of conviction of the Petitioner being remote and bleak as per the stance taken by Respondent no. 2, this Court, in line with the law laid down by the Supreme Court in **Gian Singh vs. State of Punjab & Anr.**¹ and also in **Narinder Singh & Ors. vs. State of Punjab & Anr.**², is of the view that there is no purpose of continuing with proceedings of the present FIR as it would be an unnecessary burden on the State exchequer. Further this Court is also of the considered opinion that it is a fit case to exercise the discretionary jurisdiction under Section 528 of the BNSS.

¹ (2012) 10 SCC 303 at para 57

² (2014) 6 SCC 466 at para 29



7. Consequently, the FIR No. 349/2023 registered at Police Station (PS) Dwarka Sector-23, Delhi for offences under Sections 498A/406/506/34 of the Indian Penal Code, 1860 and proceedings emanating therefrom are quashed.

8. In view of this Order of quashing, it is directed that Respondent no. 2 will be at liberty to collect the demand draft of Rs. 25,51,000/- bearing no. 733398 dated 07.02.2025, deposited by the Petitioner with SAMADHAN Mediation Centre.

9. Copy of the Order be sent to the Organizing Secretary of the Delhi High Court Mediation & Conciliation Centre for information and compliance.

10. Parties shall abide by the terms of the Settlement Agreement.

11. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J
MARCH 11, 2025/mt/AM

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