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

+ **CRL.M.C. 1348/2025**

MUNAZIR HUSSAIN & ANR.

.....Petitioners

Through: Mr. Uday Kumar, Advocate along
with petitioners in person

versus

THE STATE & ANR.

.....Respondents

Through: Mr. Raghuinder Verma, APP for the
State with Insp. Rajiv, P.S. Malviya
Nagar
Mr. Awanish Pati Mishra, Advocate
along with respondent no. 2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

03.03.2025

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CRL.M.A. 5960/2025

Exemption allowed subject to just exceptions.

The application stands disposed of.

CRL.M.C. 1348/2025

1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") (earlier Section 482 of the Code of Criminal Procedure, 1973) read with Article 227 of the Constitution of India has been filed on behalf the petitioners seeking the following reliefs:

*"a) Issue, order or direction in the nature of quashing of the Complaint CASE NO. CT Cases 463760/2016 and summoning order dated 10.10.2017 against both the Petitioners in the Complaint case titled as **Danish Mabfooz Vs Monazir Husain***



and ors going on in the Hon'ble Court of Sh Bhanu Pratap Singh [Judicial Magistrate — 02] District : South, at Saket District Court, Delhi — 110017 Next Date 05.03.2025

b) Issue any other suitable, order and direction, which this Hon'ble Court may deem fit and proper on the facts and circumstances of the case."

2. The brief facts of the case are that on account of certain misunderstanding between the parties, several litigations were initiated by the petitioners and the respondent no.2 against each other. Now, after careful consideration and in the interest of maintaining peace and harmony within the neighborhood, they have mutually agreed to resolve their disputes.

3. Learned counsel appearing on behalf of the petitioners submitted that with the intervention of family members and relatives, the parties entered into settlement vide Mutual Settlement Agreement dated 25th February, 2025 (hereinafter "MoU"). The terms and conditions of the said settlement are mentioned in the MoU which is annexed to the instant petition.

4. Therefore, it is prayed that the complaint case bearing no. CT No.463760/2016 filed by respondent no. 2 may be quashed on the basis of above said settlement and in accordance with the settled position of law as posited by the Hon'ble Supreme Court.

5. Learned APP for the State submitted that there is no objection to the prayer made on behalf of the petitioners seeking quashing of the complaint case bearing no. CT No.463760/2016 in view of the settlement arrived at between the parties.

6. Heard learned counsel for the parties and perused the record.



7. The petitioners are present before this Court and have been identified by their counsel, Mr. Uday Kumar and Investigating Officer Rajiv, Police Station - Malviya Nagar, Delhi. The respondent No.2/complainant is also present in the Court and has been identified by his counsel, Mr. Awanish Pati Mishra and the Investigating Officer.

8. On the query made by this Court, respondent no.2 has categorically stated that he has entered into compromise on his own free will and without any pressure. It is also stated by respondent no.2 that the entire dispute has been amicably settled between the parties. The parties also undertook that they shall abide by the terms and conditions of the Settlement arrived at between the parties.

9. In the instant case, as stated above, the parties have reached the compromise and have amicably settled the entire dispute without any pressure.

10. In view of the settlement arrived at between the parties and the law laid down by the Hon'ble Supreme Court, the present petition is allowed. Accordingly, complaint case bearing no. CT No.463760/2016 filed by respondent no. 2 on the ground of compromise and all consequential proceedings emanating therefrom are quashed.

11. The petition alongwith pending applications, if any, stand disposed of.

CHANDRA DHARI SINGH, J

MARCH 3, 2025
gs/anr

Click here to check corrigendum, if any