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

+ W.P.(CRL) 655/2025 and CRL.M.A. 6221/2025

BHUPENDER SINGH

.....Petitioner

Through: Mr. Pankaj Kumar Sharma, Advocate
with petitioner in person.

versus

**THE STATE GOVT. OF
NCT OF DELHI AND ANR.**

.....Respondents

Through: Mr. Yasir Rauf Ansari, ASC for the
State with Mr. Alok Sharma,
Advocate.
Mr. Manish Kr. Singh and
Ms.Vishnupriya, Advocates for
respondent no. 2 with respondent no.
2 in person.

**CORAM:
HON'BLE MR. JUSTICE ARUN MONGA**

ORDER
18.08.2025

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1. Petitioner seeks quashing of an FIR No.729/2024 dated 26.10.2024 registered under Sections 281 and 125 (a) of the BNS, at Police Station Wazirabad, District North, Delhi, and all subsequent proceedings arising therefrom.
2. On the fateful day, the Mohd. Rehan (accident victim) was crossing a road when the offending vehicle, a car, struck him due to inadvertent human error. He was immediately taken to the hospital, where his MLC was prepared, and an FIR was duly registered.



3. Despite the lapse of considerable time, for lack of any incriminating material, the Investigating Officer has failed to file the chargesheet in the aforesaid matter till date.
4. In the meanwhile, through the intervention of responsible members of society, both the victim and the driver have amicably resolved their differences and executed a Compromise Deed-cum-MOU dated 03.01.2025. Hence, quashing of the FIR is being sought.
5. In the aforesaid backdrop, after hearing the parties and perusing the record, the following position emerges.
6. Parties are present in court and I have interacted with them. On a query, Respondent No. 2/victim candidly states that compromise has been entered into voluntarily by him, without coercion or undue influence. He further states that he does not wish to press any charges against the petitioner/driver as it was a sheer accident and not a case of any crime.
7. Learned Counsel for the Petitioner submits that Respondent No. 2 has amicably and conclusively settled all disputes and grievances with the Petitioner by virtue of Settlement Deed dated 03.01.2025, placed on record as Annexure P-2.
8. He contends that once Respondent No. 2 has voluntarily and harmoniously settled all grievances, disputes, and differences with the Petitioner, continuation of criminal proceedings serves no legal or practical purpose. On the contrary, it will only cause undue mental agony and suffering to the Petitioner as well as respondent no.2.
9. Learned Counsel further submits that Respondent No. 2 has expressly conveyed no objection to the quashing of the FIR.
10. Learned Counsel appearing on behalf of the complainant/Respondent



No. 2 unequivocally submits that in view of the compromise, he has no objection to quashing of the FIR in question. The learned APP also does not dispute the veracity of the compromise.

11. Having heard, I am of the view that since the prosecution case rests solely on the statements of the Petitioner and Respondent No. 2, no possibility of conviction survives. Continuation of proceedings would thus only subject the Petitioner to harassment and waste the Court's time. The compromise has been entered into voluntarily, without coercion or undue influence. Allowing the prosecution to linger in such circumstances would amount to abuse of process. Continuation of such proceedings will merely squander the valuable time and energy of the Learned Trial Court.

12. The chances of a successful trial are extremely bleak as the entire prosecution case rests exclusively upon the testimonies of the Petitioner and Respondent No. 2, who have now resolved their disputes. Respondent No. 2 has voluntarily decided not to pursue the criminal proceedings against the Petitioner.

13. Continuation of the proceedings in the present peculiar circumstances would constitute a clear misuse and abuse of the process of law. The principles of natural justice, equity, good conscience, and fair play demand that the said proceedings be quashed to secure the ends of justice and prevent such abuse.

14. Even otherwise also, even on a perusal of the case file including the FIR, it appears that offences under BNS are not made out and it is more a case of civil liability arising out of an inadvertent accident.

15. Taking whole some view and in light of the settlement and the payment already made, this petition deserves to be allowed.



16. This Court, in appropriate cases, is empowered to exercise its jurisdiction under Section 528 of BNSS to quash an FIR on the basis of compromise and the factual circumstances of the case. In this regard, reference may be had to *Gian Singh vs. State of Punjab & Anr.*, [(2012) 10 SCC 303].

17. Accordingly, the petition is allowed. The FIR No. 729/2024 dated 26.10.2024 lodged under Sections 281 and 125 (a) of the BNS, at Police Station Wazirabad, District North, Delhi is quashed.

18. However, in the parting it is clarified that quashing of FIR shall not, in any manner, reflect on the merits of the pending proceedings before the MACT, and the victim shall be at liberty to pursue his remedies in accordance with law.

19. All pending application(s), if any, shall also stand disposed of.

ARUN MONGA, J

AUGUST 18, 2025/kd