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

\+ W.P.(CRL) 653/2025, CRL.M.A. 6208/2025-Stay, CRL.M.A. 6209/2025-Exp

ARSHAD KHAN ALIAS REHAN .....Petitioner

Through: Mr. Varun Ahuja, Mr. Krishna Dev Yadav, Advs. alongwith petitioner appearing in person

versus

GOVT OF NCT OF DELHI & ANR. .....Respondents

Through: Ms. Rupali Bandhopadhya, ASC for the State with Mr. Abhijeet Kumar, Adv with S.I Komal Shakya, PS.: Tughlak Road

Mr. Mayank Mikhail Mukherjee and Mr. Ujjwal Singh, Advs. for R-2 alongwith respondent no.2 appearing in person

CORAM:
HON'BLE MR. JUSTICE SAURABH BANERJEE

O R D E R

% 20.03.2025

1. The petitioner *vide* the present petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) erstwhile Section 482 Code of Criminal Procedure, 1973 seeks quashing of FIR No.0105/2024 dated 30.06.2024 registered under Sections 354(A)/506/509 of the Indian Penal Code, 1860 at P.S.: Tughlak Road, Delhi and all proceedings emanating therefrom in view of the Settlement Agreement dated 17.02.2025 entered *inter se* the petitioner and the respondent nos.2.

2. The present petition is accompanied by the said Settlement

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Agreement dated 17.02.2025 [Annexure-B] and is also supported by the identity cards of the parties.

3. Additionally, both the petitioner and respondent no.2, present in Court, have been identified by the Investigating Officer. Moreover, the credentials of both, petitioner as also respondent no.2, which are on record, have also been duly verified by the Investigating Officer.

4. Issue notice.

5. Ms. Rupali Bandhopadhya, learned ASC for the State accepts notice and submits that she has no objections to the quashing of the aforesaid FIR.

6. Learned counsel for the respondent no.2 also accepts notice. Respondent no.2 affirm the Settlement Agreement dated 17.02.2025 and submits that she has voluntarily, without any pressure and/ or coercion of any kind, settled all disputes with the petitioner as also since she does not wish to pursue the criminal proceedings against the petitioner, she has no objection to the quashing of the present FIR.

7. Upon consideration of the existing peculiar facts and the overall events unfolding in their entirety, even though this Court is mindful that the present FIR has been registered under Sections 354(A)/506/509 of the Indian Penal Code, 1860, this Court is inclined to quash the present FIR in exercise of its inherent powers under Section 528 of BNSS particularly when the same is in the interest of justice and will also be in the interest of the parties as also that of their girl child involved and betterment of their future.

8. Further, since an amicable settlement has been arrived at between the parties and, as the respondent no.2 does not wish to continue with the

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present criminal proceedings against the petitioner, in order to bring a quietus to the present dispute and following the law as laid down by the Hon'ble Supreme Court in ***Gian Singh vs. State of Punjab & Anr.*** (2012) 10 SCC 303 and ***Narinder Singh & Ors. vs. State of Punjab & Anr.*** (2014) 6 SCC 466 and as also held by a Co-ordinate Bench of this Court in ***Shyam Kishore Singh vs. Govt. NCT of Delhi***, 2023 SCC OnLine Del 4072, this Court is of the opinion that continuation of the aforesaid FIR will be an exercise in futility.

9. Accordingly, the present petition is allowed and the FIR No.0105/2024 dated 30.06.2024 registered under Sections 354(A)/506/509 of the Indian Penal Code, 1860 at P.S. Tughlak Road, Delhi and all proceedings emanating therefrom are quashed.

10. The petition alongwith the pending application stands disposed of.

SAURABH BANERJEE, J

MARCH 20, 2025/Ab

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