$~69

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

\+ CRL.M.C. 1468/2025

BRIJESH AWANA & ANR. .....Petitioners

Through: Mr. Kunal Awana and Mr. Sharat Kumar Sharma, Advocates.

versus

STATE GOVT OF NCT OF DELHI AND ANR. .....Respondents

Through: Mr. Shoaib Haider, APP for State with SI Mayank Istwal, PS: Mayur Vihar and Respondent No.2 in person.

**CORAM:**
**HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA**

**O R D E R**

**% 11.08.2025**

**CRL.M.A. 6559/2025**

**1.** Exemption allowed, subject to all just exceptions.

**2.** The Application is disposed of.

**CRL.M.C. 1468/2025**

**3.** Petition under Section 528 of the Bharatiya Nagrik Suraksha Sanhita, 2023 ("BNSS") has been filed on behalf of the Petitioners for quashing of FIR No.0580/2023 under Section 379 IPC, registered at PS: Mayur Vihar, Phase-1, Delhi and all consequential proceedings emanating therefrom, in terms of settlement recorded in Order dated 12.12.2023 passed by learned ASJ, Karkardooma Courts, Delhi.

**4.** Issue Notice.

**5.** Learned APP appearing on advance Notice, accept Notice.

**6.** The affidavit has already been filed on behalf of Respondent No.2 submitting that he has already received Rs.4,50,000/- and since the matter

*This is a digitally signed order.*
*The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.*
*The Order is downloaded from the DHC Server on 13/08/2025 at 12:20:19*

has been amicably settled between them, he has no objection for compounding of the offence.

**7.** It is submitted that the complaint was filed by Respondent No.2 in regard to theft of his buffalos by the Petitioners and on payment of Rs.4,50,000/- by the Petitioner, the matter stands settled.

**8.** The parties are present before this Court in-person today and have been identified by their learned Counsel and concerned Investigating Officer.

**9.** In view of settlement recorded in Order dated 12.12.2023, the present Petition has been filed.

**10.** The parties have endorsed the amicable Settlement and accepted the terms thereof voluntarily and have undertaken to remain bound by the terms of the Settlement, thus no fruitful purpose will be served in continuing with the FIR.

**11.** The present Petition has been signed by the Petitioners and is supported by their Affidavits. The parties have reaffirmed the terms of settlement recorded in Order dated 12.12.2023 and they submit that the said Settlement has been arrived at between the parties, without any pressure and coercion.

**12.** The Respondent No.2 states that he has received all amounts due and has no objection if the FIR is quashed.

**13.** In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion and also the fact that the present matter is a family matter, no useful purpose will be served in continuing with the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice

*This is a digitally signed order.*
*The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.*
*The Order is downloaded from the DHC Server on 13/08/2025 at 12:20:19*

to quash the abovementioned FIR and the proceedings pursuant thereto.

**14.** Moreover, there is no legal impediment in quashing the aforesaid FIR in question.

**15.** Though, it is a case under Section 379 IPC, where the parties could have filed an Application for compounding before the learned Trial Court, considering the financial conditions of the parties and in the interest of justice, FIR No.0580/2023 under Section 379 IPC, registered at PS: Mayur Vihar, Phase-1, Delhi and all consequential proceedings emanating therefrom are quashed.

**16.** It is hereby clarified that this Order shall not be taken as a precedent.

**17.** The Petition alongwith pending Application, is disposed of accordingly.

**NEENA BANSAL KRISHNA, J.**

**AUGUST 11, 2025/***R*

*This is a digitally signed order.*
*The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.*
*The Order is downloaded from the DHC Server on 13/08/2025 at 12:20:19*