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

+ **CRL.M.C. 1503/2025**

SUMIT DAGAR & ANR.

.....Petitioners

Through: Mr. Pankaj Gupta and Mr. Jitender
Sharma, Advocate with petitioners in
person.

Versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr.Utkarsh, APP for the State with
Investigating Officer, SI Naveen, PS-
V.K. South.
Mr. Anubhav and Mr.Arvind, Adv.
for R2 with R2 in person.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

07.05.2025

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1. The Petition under Section 528 of BNSS, 2023 has been filed on behalf of the Petitioners for quashing of FIR No. 104/2022 under Sections 308/342/365/34 IPC registered with the Police Station Vasant Kunj South.
2. It is submitted that the petitioners and the respondent No.2/complainant are resident of same locality and well known to each other since childhood. It is submitted that on the complaint of respondent No.2, the aforesaid FIR was registered against the petitioner and one other accused namely Vinay Kumar. After



registration of the FIR, the petitioners applied for regular bail and they were admitted to bail vide Order dated 30.03.2022 and 05.04.2022 of learned ASJ. It is further submitted that the families of petitioner and respondent No. 2 were also helping each other financially and there were exchange of moneys between both the parties in the hours of need. In the series of a transaction of Rs.16 lakhs between the petitioner No. 2 and the father of the respondent No.2, a dispute arose between the parties which resulted in filing of recovery suit by the petitioner No. 1 against the Mahender Singh Yadav, father of the respondent No. 2. It is submitted that the present FIR was got registered pursuant to the money suit, on the complaint of the respondent No. 2 Dinesh Yadav, who is son of the defendant in the said Recovery Suit.

- It is further submitted that as both the parties are neighbours, with the intervention of family and friends, the petitioners and the respondent No. 2 and his father agreed to resolve all their disputes amicably and thus, petitioner No. 1 and father of the respondent No.2 requested the learned Trial Court where the recovery suit was pending to refer the matter for mediation. It is submitted that the said Civil Suit filed by the petitioner No. 1 against the father of the respondent No.2 was settled vide Settlement dated 15.02.2025. It has been agreed upon that petitioner No. 1 shall move an application for withdrawal of the Civil Suit and the respondent No.2 shall not pursue the present FIR. In view of the Settlement dated 15.02.2025, annexed as Annexure P5, the present Petition has been filed.
3. The parties are present along with their counsels and the Investigating



Officer. Petition has been signed by the petitioners and is supported by their affidavits. The parties have reaffirmed the terms of the Settlement dated 10.01.2025 and they also submit that the said Settlement has been arrived at between the parties, without any pressure and coercion.

4. Considering the totality of the circumstances, there is no fruitful purpose will be served in continuing with the FIR. It is a fit case for quashing the FIR and the proceedings emanating therefrom. Accordingly, FIR No. 104/2022 under Sections 308/342/365/34 IPC registered with the Police Station Vasant Kunj South and the proceedings emanating therefrom are hereby quashed.
5. The Petition is disposed of accordingly. Pending Applications, if any, also stand disposed of.

NEENA BANSAL KRISHNA, J

MAY 7, 2025

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