



\$~74

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

+ **W.P.(CRL) 803/2025 & CRL.M.A. 7444/2025**

RAVI JADWANI @ RAVI SINDHI & ANR.Petitioners

Through: Mr. Santosh Kumar, Adv.
Petitioner nos. 1&2 in person.

versus

STATE NCT OF DELHI & ANR.Respondents

Through: Mr. Yasir Rauf Ansari, ASC
(Criminal) with Mr. Alok Sharma, Adv. for State.
SI Dharmendra Sharma and SI Jagdish, PS Patel
Nagar

Mr. Parmod Kumar Sharma and Mr. Prakhar
Vashisht, Advs. for R-2 with respondent no.2 in
person.

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER
21.08.2025

%

1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") has been filed by the petitioners praying for quashing of FIR 435/2021 registered at Police Station Patel Nagar on 24.08.2021 for offences punishable under Sections 288/336 of the Indian Penal Code, 1860 (hereinafter "IPC").

2. The brief facts of the case are that the petitioner carried out illegal basement digging at an adjoining property without safety measures, due to which the respondent no. 2's building suffered damage and became unsafe. Despite assuring compensation, the builders failed to pay. On his complaint, the FIR in question was registered.



3. Learned counsel appearing on behalf of the petitioners submitted that charges have been framed and the chargesheet has already been filed against the petitioners. It is submitted that the petitioners and respondent no. 2 have settled their disputes amicably and are now moving forward towards a peaceful and harmonious future. It is further submitted that the respondent no. 2 has been duly compensated for the damages/compensation/cost of litigation and legal expenses by him by the petitioners.
4. Memorandum of Understanding (Hereinafter “MoU”) dated 02.05.2023 is on record and has been annexed as Annexure-C. Qua this MoU, the respondent no. 2 has agreed to withdraw the case arising out of FIR No. 435/2021 registered at Police Station Patel Nagar against the petitioners.
5. It is prayed by the learned counsel appearing on behalf of the parties that the instant FIR may be quashed on the basis of the MoU.
6. Learned APP for the State, who appears on advance notice, accepts notice and submits that there is no opposition to the prayer made by the petitioners seeking quashing of the FIR in question in view of the settlement arrived at between the parties.
7. Heard learned counsel for the parties and perused the record.
8. The petitioners are present before this Court and have been identified by their counsel and Investigating Officer, Police Station Patel Nagar. Respondent no. 2 is also present in the Court and has been identified by his counsel and the Investigating Officer.
9. On a 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 him that the entire dispute has been amicably settled between the parties and he has been duly compensated.

10. Keeping in view the fact that the matter stands amicably been settled between the petitioners and respondent no. 2 amicably without any pressure, no fruitful purpose would be served by keeping the matter pending.

11. It is, thus, in the interest of justice to quash the afore-mentioned FIR and the proceedings emanating therefrom.

12. The petition along with pending application(s), if any, stands disposed of.

AJAY DIGPAUL, J

AUGUST 21, 2025/AS/dd