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

+ CRL.M.C. 1680/2025 & CRL.M.A. 7569/2025

SUNNY & ORS.

.....Petitioners

Through: Mr. Rohit Kumar, Ms. Himanshi
Singh, Ms. Kriti and Ms. Jayshree,
Advocates.
Petitioners in person.

versus

STATE OF GNCTD & ANR.

.....Respondents

Through: Mr. Sanjeev Sabhrwal, APP for State
with SI Manish Phogat, PS Mehrauli.
Complainants in person.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

% **11.08.2025**

1. Petitioners herein seek quashing of an FIR No. 611/2017 dated 14.08.2017, for the alleged offences under Sections 308, 34 of IPC, registered at Police Station Mehrauli, District South (Delhi), along with all the consequential proceedings arising therefrom on the basis of a compromise between the parties.
2. Briefly stated, FIR is stated to have originated from a dispute on 13.03.2017 during construction of a boundary wall at the complainant's brother's plot, which allegedly escalated into a scuffle leading to stone pelting causing damage and injuries to members of the complainant's family.
3. Learned Counsel for the petitioners submits that the parties are known



to each other and reside in the same neighborhood. The parties have amicably settled all their disputes in order to preserve cordial relations and maintain future harmony, and thus seek quashing of the FIR in question.

3.1 He further submits that the Complainant/Respondent No.2 had named the Petitioners in the FIR without understanding the consequences and now regrets having done so. The Complainant now does not wish to pursue the proceedings any further.

3.2 He further submits that in view of the settlement between the parties, the FIR in question along with all consequential proceedings arising therefrom may be quashed.

4. It transpires that it is a case of version and cross-version which led to cross-FIRs between the two sets of family who are residing in the same neighborhood. What started as a minor scuffle led to heated altercation and eventually took an ugly turn wherein both sides had a free for all attitude while committing physical assault. The counsel further submits that the original complainant in FIR No.612/2017 has also passed away on 05.08.2024 as is borne out by the death certificate.

5. In response to a Court query, both the counsel for Respondent No. 2 and the learned APP for the State concur with the factum of the compromise between the parties.

6. In the aforesaid backdrop, I have heard learned counsel for the Petitioners and the Respondent No.2.

7. I have interacted with the parties who are present in person and on a pointed question put to them as to why they lodged the FIRs against each other and misused the criminal machinery unnecessary, they show remorse and say that they are highly regretful and would not repeat such a behavior



in future. They further state that they did not realize the adverse consequences of making such allegations and, in any case, were not aware as to what sections would be invoked by the police officials. They jointly submit that given that they have buried the hatchet in order to not unnecessarily nurture any hostilities in future. They wish to enjoy the mutual cordiality and bonhomie arising out of the settlement. They submit that FIR be quashed as they do not intent to press any charges against each other.

8. In the heat of moment, they leveled wild allegations as is conceded by them in the course of hearing today, despite there being no supporting proof of any kind either qua the grievous injuries or the intent of committing any crime, let alone offence under Section 308 of IPC.

9. The parties are cautioned not to misuse the criminal machinery in future in any manner, and in case they repeat their behavior, the law will take its own course, and the prosecution will ensure that guilty are brought to books.

10. Since the Complainant/Respondent No.2 does not wish to press charges against the petitioners and there is no incriminating material against them, the chances of conviction are almost negligible. Further criminal proceedings before the court and continuation of the trial would be an abuse of the process of law, especially where the parties have amicably settled their dispute which does not involve any public interest or interest of the society at large. It will be an exercise in futility and wasteful expense of public exchequer.

11. In such circumstances, continuation of proceedings may rather result in hostility between the parties and defeat the very purpose of such settlement. Reference may be had to the judgement rendered in **Gian Singh**



v. State of Punjab & Anr. [(2012) 10 SCC 303] in this context.

12. In view of the above, it is deemed just and appropriate to invoke the inherent powers of this Court under Section 528 of the BNSS to prevent undue hardship to the parties and promote mutual goodwill and societal harmony.

13. Accordingly, the instant petition is allowed. FIR No. 611/2017 dated 14.08.2017, lodged at Police Station Mehrauli, District South (Delhi), and all other consequential proceedings for offences under Sections 308/34 of IPC, against the petitioners are hereby quashed.

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

ARUN MONGA, J

AUGUST 11, 2025

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