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

+ CRL.M.C. 1720/2025

SONU & ORS.

.....Petitioners

Through: Mr. Vipin Nagar, Adv.

Versus

THE STATE GOVT. OF DELHI AND ORS.

.....Respondent

Through: Mr. Digam Singh Dagar, APP for the State with SI Sandeep Kumar, Mr. Lokesh Kr. Mishra, Mr. Devansh Sehgal, Mr. Haider Khan, Mr. Vinay Sahu and Ms. Aarti Baghel and Ms. Shivani Bhati, Advocate for R-2 to R-5 with R-2 to R-5 in person.

**CORAM:**

**HON'BLE MR. JUSTICE ARUN MONGA**

**ORDER**

**16.09.2025**

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1. Petitioners herein seek compromise quashing of an FIR No. 2/2019 dated 03.01.2019 for the offences punishable under Section 308/323/341/506/34 IPC, lodged at Police Station Patparganj Industrial Area along with all the proceedings arising therefrom, on the basis of a compromise between the parties.
2. Per FIR, the complainant alleged that on 03.01.2019 when he alongwith his brothers was carrying cabbage leaves in a tempo for his buffaloes in the market, the respondents started abusing him. A scuffle took place between both the parties and the complainant and his brothers sustained injuries.



3. In view of the aforesaid backdrop, I have heard the rival contentions and perused the case file.
4. Learned Counsel for the parties submit that the parties are known to each other and live in the same locality. He further submits that they have settled their dispute amicably *vide* settlement agreement dated 18.12.2024, which is appended with the petition. He further submits that affidavits of no objection to the quashing have also been placed on record by the respondent nos. 2 to 5. The petitioners and the respondent nos. 2 to 5 are present in Court and have been duly identified by their respective counsels.
5. Learned counsel for the petitioners, relying on the judgment in ***Gian Singh vs. State of Punjab & Anr., (2012) 10 SCC 303***, also submits that in view of the settlement, the FIR and all consequential proceedings deserve to be quashed.
6. Ld. APP for the state and learned counsel for the private respondent nos. 2 – 5 concur with the factum of compromise and submit that, in view of the settlement, the proceedings deserve to be quashed.
7. In the above backdrop, I have heard the learned counsels for the parties and perused the case file.
8. On a court query, learned APP for the State states on instructions from the IO that the injury suffered by the victim was simple in nature.
9. On the other hand, on a court query, respondent nos. 2 - 5 state that it was in the fit of rage that they made such an accusation based on which the FIR was registered. They submit that due to that very moment, they did not realize the adverse consequences of levelling the allegations. They now regret the same. Subsequently, they have settled their disputes and does not wish to press any charges. They also state that they have accepted the



unconditional apology tendered by the accused persons/petitioners.

10. It is thus evident that the petitioners and the complainants are well acquainted. They live in the same neighborhood. Due to a misunderstanding, allegations were levelled against the petitioners in the heat of the moment at the time of FIR registration.

11. *Qua* invoking Section 308 of IPC and considering the alleged grievous injury suffered by the victim, on a Court query, the complainants admit that the incident got escalated due to the heated tempers of the parties.

12. Having given my thought to the totality of circumstance, I am of the view that ingredients of Section 308 of IPC are not made out and even in the status report filed by the State, it is mentioned that simple injuries were inflicted. In any case, even the complainants do not wish to press any charges against the petitioners with whom they have cordial relations. They are neighbours living in the same locality and having amicably settled the matter, they wish to live in peace and enjoy the mutual bonhomie in posterity.

13. In view of the above, and applying the ratio laid down in ***Gian Singh (supra)***, 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. Allowing criminal proceedings to continue would be an abuse of the process of law in the present case.

14. Accordingly, the instant petition is allowed and FIR No. 2/2019 dated 03.01.2019 for the offences punishable under Section 308/323/341/506/34 IPC, lodged at Police Station Patparganj Industrial Area and all other consequential proceedings are hereby quashed.



15. Pending application(s), if any, also stand disposed of.

**ARUN MONGA, J**

**SEPTEMBER 16, 2025/acm**