



2025:DHC:3873



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

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Date of decision: 16.05.2025

+ CRL.M.C. 2038/2025
DEEPAK & ANR.

.....Petitioners

Through: Mr. B.S. Rana, Advocate with
petitioners in person.

versus

STATE (NCT OF DELHI) & ANR. ... Respondents

Through: Mr. Satinder Singh Bawa, APP
for State with SI Kunal Kumar,
PS-Bindapur.
Respondent No. 2 in person.

CORAM:-

HON'BLE MR. JUSTICE RAVINDER DUDEJA

JUDGMENT (ORAL)

RAVINDER DUDEJA, J.

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of FIR No. 0817/2021, dated 07.09.2021, registered at P.S Binda Pur under sections 452/323/506/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. A quarrel took place between the Petitioners and Respondent No.2. Petitioners attacked the Respondent No.2 with *lathi*, causing him injuries. Thereafter, Respondent No.2 lodged the aforesaid FIR No. 0817/2021 against Petitioners. The petitioners registered a cross



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FIR No. 0821/2021 dated 08.09.2021 under section 354B IPC at PS Binda Pur against the respondent no.2.

3. During the proceedings, the parties have amicably resolved their disputes with the intervention of friends and close relatives and executed a Settlement deed dated 17.03.2025. In pursuance of the Settlement, it is submitted that the parties will cooperate and join the proceedings of quashing of the aforesaid FIR No. 0817/2021 and cross FIR no. 0821/2021. The copy of Settlement deed dated 17.03.2025 has been placed on record as Annexure P-2.

4. The matter was placed before the Joint Registrar, who has recorded the statements of both the parties and passed the following orders:-

“21.04.2025

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1. The present non contentious petition has been filed by the petitioners under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for quashing of the FIR NO. 817/2021 Under Sections 323/452/506/34 of the Indian Penal Code registered at P.S. Bindapur on the basis of settlement arrived at between the parties.

2. As per the submissions, the matter between the petitioners and R-2 has been amicably settled.

3. Vide separate statement recorded in this behalf, petitioners stated that dispute between them and R-2 has been amicably settled as per the settlement deed dated 17.03.2025. The settlement has been arrived at between the parties herein without any force, coercion,



undue influence and pressure. They have signed the settlement deed with their wish and will. Vide separate statement recorded in this

behalf, R-2 stated that dispute between R-2 and petitioners has been amicably settled as per the settlement deed dated 17.03.2025. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. The settlement deed has been signed with wish and will.

4. Investigating Officer is present in Court and has duly verified the identity of both the parties. Separate statement of Investigating Officer has also been recorded.

5. The parties along with their counsels have confirmed that the settlement deed has been duly entered into between them.

6. Learned counsel for State/APP enters appearance and accepts notice. He submits that in view of the statement recorded, let the matter be placed before the Hon'ble Court.

7. The compromise/settlement deed is in writing and has been duly signed by both the parties. I have heard both the parties and from the direct dialogue with both the parties, it is observed that the consent of both the parties is found to be genuine and has not been obtained under undue influence or pressure.

8. In view of the above, matter be placed before the Hon'ble Court on 16.05.2025.

5. Parties are physically present before the Court with their respective advocates. They have been identified by their respective counsels as well as by the Investigating Officer SI Kunal Kumar from PS Bindapur.

6. Respondent No.2 submits that the matter has been settled with the Petitioners without any force, fear, coercion and he has no objection if the FIR No. 0817/2021 is quashed against the Petitioners.



7. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 0817/2021 is quashed.

8. In ***Gian Singh Vs State of Punjab (2012) 10 SCC 303***, Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

"61. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceedings."

9. In view of the aforesaid circumstances and the fact that parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 0817/2021, dated 07.09.2021, registered at P.S Binda Pur under sections 452/323/506/34 IPC and all the other consequential proceeding emanating therefrom.

10. In the interest of justice, the petition is allowed, and FIR No. 0817/2021, dated 07.09.2021, registered at P.S Binda Pur under sections 452/323/506/34 IPC and all the other consequential proceeding emanating therefrom is hereby quashed.



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11. Petition is allowed and disposed of accordingly.
12. Pending application(s), if any, also stand disposed of.

RAVINDER DUDEJA, J

MAY 16, 2025/AK

