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

+ **CRL.M.C. 2170/2025&CRL.M.A. 9810/2025(stay)**

MOHIT & ORS.

.....Petitioners

Through: Mr. Nishant Nain and Ms. Charu Sharma, Advs. along with petitioners in person.

versus

STATE OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for the State and Ms. Mansi Sharma, Adv. IO/ASI Youdhvi Singh, PS New Usman Pur.
Mr. Rohit Kheriwal, Adv. For R-2 and 3 along with respondents in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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14.05.2025

1. This hearing has been done through hybrid mode.

CRL.M.A. 9811/2025(exemption)

2. Allowed, subject to all just exceptions. This application is disposed of.

CRL.M.C. 2170/2025&CRL.M.A. 9810/2025(stay)

3. The present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeks quashing of FIR No. 177/2025, under Sections 115(2), 126(2), 3(5) of the BNSS registered at P.S. New Usmanpur, and all the consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Mr. Anmol Nihoria, learned JMFC -02, North East District, Karkardooma Courts, Delhi.

4. Learned counsel for the petitioners submit that an incident related to a

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minor dispute resulted in the registration of the present FIR. It is further submitted that the petitioners have since compromised their disputes with respondents and, therefore, the present petition seeking quashing of FIR No. 177/2025, under Sections 115(2), 126(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 registered at P.S. New Usmanpur has been preferred.

5. Copy of the Memorandum of Understanding dated 18.03.2025, has been placed on record, which records the settlement between the parties and that the petitioners shall pay the settlement amount of Rs. 75,000/- in two equal installments to the respondents and their agreement to cooperate with each other in quashing the FIR. (Annexure P-3).

6. The petitioners and respondents are present before the Court today and have been duly identified by their respective counsels, as well as the Investigating Officer, ASI Yudhvir, P.S. New Usmanpur.

7. The matter was placed before the learned Joint Registrar who has recorded the statement of both the parties and has passed the following order dated 07.05.2025:

“Today, statement of respondent no. 2, respondent no. 3 (through her mother and capacity of his natural guardian has been recorded to ascertain the veracity and the genuineness of the parties entering into settlement.

Respondent no. 3 is stated to be 17 years old.

Today statement of IO with effect to previous involvement and age of Petitioners/accused also recorded separately.

Considering the nature of injuries suffered reflected in MLC and the manner of causing such injuries, the case is Marked as “**Red Flagged**”.

Respondent no. 2 and mother of Respondent no. 3 have been identified by the learned counsel and the IO.

Let the pre-verified statement along with this order be placed before the Hon’ble Court on **14th May, 2025.**”

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8. The learned Joint Registrar has further recorded the statement of respondent no. 3's mother-Ms. Rajni on 07.05.2025 which are as under: -

“1. I am mother of Respondent no. 3 Karan Singh, who is an injured in FIR bearing no. 177/2025, Under Section 115(2)/126(2)/3(5) of Bharatiya Nyaya Sanhita BNS, 2023 (Under Section 323/341/34 IPC) was registered at PS New Usmanpur, Delhi against the petitioner. During the course of investigation Section 110 BNS (308 IPC) has been added. The charge sheet has not been filed till date. The case is at the stage of investigation. The FIR was registered by Respondent no. 2. I am making this statement in the capacity of natural guardian of Respondent no. 3.

3. I on behalf of Respondent no. 3 have voluntarily and without any pressure or coercion from anyone and with the intervention of friends, family members and well wishers settled all issues and disputes with all the petitioner; and out of my free will have entered into MOU settlement deed dated 18.03.2025 which is on record as Annexure P-3 at page no. 46 onwards bearing my signatures. At present the age of my son Respondent no. 3 is 17 years.

4. I have voluntarily and amicably resolved all issues and disputes with all the petitioners considering my past association with the petitioners and also considering the fact that we are neighbours and we all do the same business and the altercation took place due to a minor issue of throwing water balloons during Holi period. I have received compensation amount of Rs. 60,000/- from the petitioners.

4. I undertake to abide by all the terms and conditions of the MOU & I have no objections, if the FIR No. 177/2025, Under Section 115(2)/126(2)/3(5)/110 of Bharatiya Nyaya Sanhita BNS, 2023 (Under Section 323/341/34/308 IPC) registered at PS New Usmanpur, Delhi and all proceedings emanating there from are quashed against the petitioner.

5. I shall raise no claim in Future through any civil or criminal litigation with regards to the incident relating to the present FIR.

6. My NOC affidavit is on record at page 28 bearing my signatures. My son, according to MLC suffered simple injuries. He sustained injuries on his head and was given around 16 stitches on his head.

7. This is my true statement being made voluntarily in the presence of my counsel & IO. I fully understand the consequences of-making this statement. I have put my signatures on this statement in the presence of my counsel & IO after the same has been read over to me in Hindi.”

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9. The respondents state that the matter has been settled with the petitioners and they have no objection if the present FIR is quashed against the petitioners. They further state that all the terms of the Memorandum of Understanding have been complied with.

10. Learned APP for the State submits that investigation in the present FIR has been completed and the chargesheet has been filed before the Court of competent jurisdiction and further submits that he has also no objection if the present FIR and the chargesheet pending before the Court of competent jurisdiction is quashed.

11. In **Gian Singh v. State of Punjab, (2012) 10 SCC 303**, the 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 proceeding.”

12. In view of the aforesaid circumstances, and that fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR and all the other consequential proceedings emanating therefrom including the chargesheet filed and pending before the Court of Mr. Anmol Nihoria, learned JMFC-02, North East Dist., Karkardooma Courts, Delhi.

13. In the interest of justice, the petition is allowed, and the FIR No.

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177/2025, under Sections 115(2), 126(2), 3(5) of the BNSS registered at P.S. New Usmanpur, and all the other consequential proceedings emanating therefrom including the chargesheet filed and pending before the Court of Mr. Anmol Nihoria, learned JMFC-02, North East Dist., Karkardooma Courts, Delhi, is hereby quashed.

14. The present petition is allowed and disposed of accordingly.
15. Pending application(s), if any, also stands disposed of.
16. Copy of the order be sent to the concerned learned Trial Court for necessary information and compliance.

AMIT SHARMA, J

MAY 14, 2025/kr/sc

[Click here to check corrigendum, if any](#)