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

+ **CRL.M.C. 2353/2025**

SUSHIL KUMAR

.....Petitioner

Through: Mr. Krishan Kumar and Mr. Sharad
Kumar Singh, Advs. along with the petitioner in
person

versus

THE STATE OF NCT OF DELHI AND ORSRespondents

Through: Ms. Meenakshi Dahiya, APP for State
with SI Sheetal and SI Shrerai
Respondents no. 2 and 3 in person

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

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29.08.2025

1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") has been filed by the petitioner praying for quashing of FIR No. 287/2024 registered at Police Station Swaroop Nagar, for offences punishable under Sections 308/325 of the Indian Penal Code, 1860 (hereinafter "IPC").
2. Learned counsel for the petitioner submitted that a quarrel had occurred on between the petitioner and respondents no. 2 and 3, who were his neighbors. The incident led to an allegation that the petitioner attacked the respondents no. 2 and 3 with an iron rod, causing injuries. Based on the



complaint, FIR No. 287/2024 was registered. The police investigated and filed a charge sheet before the court.

3. It is submitted that the petitioner and respondents no. 2 and 3 have settled their disputes amicably with intervention of family members and friends and are now moving forward towards a peaceful and harmonious future.

4. Compromise/Settlement deed dated 15.03.2025 is on record and has been annexed as Annexure P-3. *Qua* this deed, the respondents no. 2 and 3 have agreed to withdraw the case arising out of FIR No. 287/2024 registered at Police Station - Swaroop Nagar against the petitioner.

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 compromise.

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 petitioner is present before this Court and has been identified by his counsel Mr. Krishan Kumar and Investigating Officer SI Sheetal, Police Station Swaroop Nagar. Respondents no. 2 and 3 are also present in the Court and have been identified by the Investigating Officer.

9. On a query made by this Court, respondents no. 2 and 3 have categorically stated that they have entered into compromise on their own free will and without any pressure. It is also stated by them that the entire dispute has been amicably settled between the parties. Their affidavit, stating no-objection to the quashing of the FIR is also on record.



10. In view of the fact that the parties are neighbours, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them. Further in view of the fact that the parties have arrived at settlement, the chances of ultimate conviction of the accused persons are also bleak.

11. In the present case, since the State machinery has been put into motion, the police has concluded the investigation and has filed the charge-sheet, and further the judicial time has also been wasted, it is deemed appropriate to impose cost on the petitioner. In the facts and circumstances of the present case, the petitioner is directed to deposit a cost of ₹ 10,000/- with the CDCBA Members Welfare Fund and a cost of ₹ 10,000/- with DHCBA Women Advocates Welfare Fund.

12. Hence, in light of the judgment of the Hon'ble Supreme Court passed in ***Gian Singh vs. State of Punjab* (2012) 10 SCC 303**, FIR No. 287/2024 registered at Police Station - Swaroop Nagar, for offences punishable under Sections 308/325 of the IPC, and consequent proceedings emanating therefrom, are quashed, subject to payment of cost of ₹ 10,000/- to the CDCBA Members Welfare Fund, Account bearing No. 33640110020388 (IFSC Code: UCBA0003364) maintained with the UCO Bank, Rouse Avenue Court Complex, New Delhi and subject to the payment of the cost of ₹ 10,000/- in the account of DHCBA Women Advocates Welfare Fund i.e., saving account no. 15530110172858 (IFSC- UCBA0001553), Bank Name- UCO Bank, Branch- Delhi High Court, within a period of two weeks. The receipt of payment is to be deposited and verified by the concerned IO.



13. The petition alongwith pending application(s), if any, stands disposed of.

AJAY DIGPAUL, J

AUGUST 29, 2025
gs/ryp