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

+ **CRL.M.C. 2503/2025**

**SUNNY KUMAR & ORS.**

.....Petitioners

Through: Ms. Moni Sharma, Adv. along with  
petitioners in person, through VC.

versus

**STATE NCT OF DELHI & ORS.**

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for the  
State and Ms. Mansi Sharma, Adv.  
Mr. Akshat Gupta, Adv. For R-2 and 3  
alongwith R-2 and 3 in person through  
VC.

**CORAM:**

**HON'BLE MR. JUSTICE AMIT SHARMA**

**ORDER**

% **02.05.2025**

1. This hearing has been done through hybrid mode.

**CRL.M.A. 11196/2025 (exemption)**

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

**CRL.M.C. 2503/2025**

3. The petition under section 528 of the BNSS (482 of the Cr.P.C.) seeks quashing of FIR no. 0033/2018 under Section 323/354/34 of the IPC, registered as P.S. Mahendra Park and all the other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Amardeep Kaur, learned Addl. Chief Judicial Magistrate, North West District, Rohini Courts, New Delhi.

4. Learned counsel for the petitioners submits that the present petitioners have since compromised their disputes with respondents nos. 2 and 3. He

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further submits that the compromise has been arrived at between the parties *vide* a Memorandum of Understanding ('MoU')/ Settlement deed dated 10.02.2025. Therefore, the present petition for quashing has been preferred before this Court.

5. It is submitted that the petitioners and the respondents herein are relatives and are residing in the adjacent neighbourhood and an incident related to a dispute resulted in the registration of the present FIR. It is pertinent to note that petitioner no. 1 had also lodged a cross-FIR bearing no. 0034/2018 under Sections 448/452/323/506/34 of the IPC, registered at PS Mahendra Park.

6. Copy of the Memorandum of Understanding ('MOU')/ Settlement deed dated 10.02.2025 has been annexed with the petition (Annexure E), which records the settlement between the parties and their agreement to cooperate with each other in quashing of the present FIR.

7. The matter was also placed before the worthy Joint Registrar (Judicial), who has recorded the statements of both the parties and passed the following order dated 15.04.2025:

- “1. The present non contentious petition has been tiled by the petitioners under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for quashing of the FIR NO. 33/2018 Under Sections 323/354/34 of the Indian Penal Code registered at P.S. Mahendra Park on the basis of settlement arrived at between the parties.
2. As per the submissions, the matter between the petitioners and R-2 & 3 has been amicably settled.
3. Vide separate statement recorded in this behalf, petitioners stated that dispute between them and R-2 & 3 has been amicably settled as per the settlement deed dated 10.02.2025. 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 & 3

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and petitioners has been amicably settled as per the settlement deed dated 10.02.2025. 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.

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

6. Learned counsel lor 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 02.05.2025."

8. The petitioners and respondent nos. 2 and 3 are present before the Court in person through video conferencing alongwith their respective counsels and have been duly identified by the Investigating Officer, Insp. Arvind Kumar, PS Mahendra Park as well as their respective counsels.

9. Respondent nos. 2 and 3 state that the matter has been settled with the petitioners and she has no objection if the FIR and the subsequent proceedings emanating therefrom including the chargesheet are quashed against the petitioners. She further states that all the terms of the Memorandum of Understanding ('MoU')/ Settlement deed have been complied with.

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

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proceedings emanating therefrom including the chargesheet pending before the Court of competent jurisdiction is quashed.

11. In **Gian Singh vs. 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 of FIR no. 0033/2018 under Section 323/354/34 of the IPC, registered as P.S. Mahendra Park and all the other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Amardeep Kaur, learned Addl. Chief Judicial Magistrate, North West District, Rohini Courts, New Delhi.

13. In the interest of justice, the petition is allowed, and the FIR no. 0033/2018 under Section 323/354/34 of the IPC, registered as P.S. Mahendra Park and all the other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Amardeep Kaur, learned Addl. Chief Judicial Magistrate, North West District, Rohini Courts, New Delhi, are hereby quashed.

14. The Petition is disposed of.

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

**AMIT SHARMA, J**

**MAY 2, 2025/kr/Pc**

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

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