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

+ **W.P.(CRL) 1172/2025**

BALRAJ SINGH @BALRAJ KHATANAPetitioner

Through: Mr. Vaibhav Kumar, Adv. along with
the petitioner

versus

STATE & ANR.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) for the State with Mr. Abhinav
Kumar Arya and Mr. Aryan Sachdeva,
Advocates.

SI Suruchi and Mr. Bhiva Ram, PS
Fatehpur Beri.

Appearance not given for the counsel.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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21.05.2025

1. This hearing has been done through hybrid mode.

CRL.M.A. 11173/2025 (Exemption)

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

CRL.M.A. 11174/2025 (Delay 31 days)

3. The present application under Section 528 of the BNSS seeks
condonation of delay of 31 days in filing the present petition.

4. In view of the averments made in the application and in the interest of
justice, the application is allowed and disposed of.

5. For the reasons stated in the application and in the interest of justice,
the delay of 31 days in filing the present petition is condoned.

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6. The present petition under Article 226 and 227 of the Constitution of
India read with Section 528 of the BNSS has been filed seeking the quashing



of FIR No. 515/2024, under Sections 115(2), 126(2), 351(2) of the Bharatiya Nyaya Sanhita, 2023 registered at P.S. Fatehpur Beri, and all the other consequential proceedings emanating therefrom including the chargesheet pending before the Court of Mr. Ashish Meena, learned Metropolitan Magistrate, South District, Saket Courts, Delhi.

7. The present petition arising out of a minor dispute on which the present complaint is filed by 'S', who is a minor and is present along with her mother *i.e.*, respondent no.2 (Geeta Devi) in the Court.

8. Learned counsel for the petitioner submits that the present petitioner has since compromised his disputes with respondent no. 2. and, therefore, the present petition seeking quashing of FIR No. 515/2024, under Sections 115(2), 126(2), 351(2) of the BNS, registered at P.S. Fatehpur Beri, and all the other consequential proceedings emanating therefrom including the chargesheet pending before the Court of Mr. Ashish Meena, learned Metropolitan Magistrate, South District, Saket Courts, Delhi, has been preferred.

9. A Memorandum of Understanding dated 10.12.2024, (Annexure P-2) has been placed on record, which records the settlement between the parties and their agreement to cooperate with each other in quashing the FIR.

10. The petitioner and respondent no. 2/complainant have appeared in person before the Court today and the parties have been duly identified by their respective counsels, as well as the Investigating Officer, SI Ganga Singh, P.S. Neb Sarai.

11. The matter was also placed before the learned Joint Registrar who had passed the following order after recording the statements of both the parties on 15.04.2025 which reads as under: -



“Today, statement of respondent no. 2 & 3 has been recorded to ascertain the veracity and the genuineness of the parties entering into settlement.

Respondent no. 2 is victim/injured in FIR No. 515/2024, Under Section I 15(2)/126(2) & 351(2) of Bharatiya Nyaya Sanhita BNS, 2023 (Sections 323/341/506 IPG) registered at PS Fatehpur Beri, Delhi against the petitioners. The FIR was registered by Respondent no. 2 against the petitioners. Respondent no. 2 is a minor, aged about 14 years, studying in Class IX.

Today, the Respondent no. 2 and his mother, who is the natural guardian, as his father has expired, have stated that they have voluntarily and without any pressure or coercion from anyone and with the intervention of friends and well wishers settled all issues and disputes with the petitioner; and out of their free will have entered into compromise/MOU/Settlement dated 10.12.2024 which is on record as Annexure P-2 at page no. 30 bearing the signatures of his mother.

It is stated that the Respondent no. 2 victim/injured was beaten by students of Class X and they had threatened him to again beat him, if he tell anyone about the incident. When he reached home, his mother saw his injuries and under fear he told her that he has been beaten by the petitioner who is a teacher in their school. Thereafter, the present FIR was registered.

Respondents do not wish to pursue this FIR. It is also stated that Respondent no. 2 has already obtained school leave certificate from the school in Delhi and shifted to his native village in Amethi, UP, now he is studying in a school in his native village.

Respondents have settled the issues with the petitioner without any monetary or any other consideration. They undertake to shall fully cooperate in quashing of the abovesaid FIR and raise no claim in future through any civil or criminal litigation with regards to the incident relating to the present FIR.

Respondent no. 2 & 3 have been identified by IO.

This pre verified report along with the petition may be placed before the Hon'ble Court on 21st May, 2025 alongwith the statements recorded today.”

12. The complainant/respondent No.2 states that the matter has since been settled with the petitioner and she has no objection if the FIR is quashed against the petitioner.

13. 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.”

14. 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 No. 515/2024, under Sections 115(2), 126(2), 351(2) of the Bharatiya Nyaya Sanhita, 2023 registered at P.S. Fatehpur Beri, and all the other consequential proceedings emanating therefrom including the chargesheet pending before the Court of competent jurisdiction.

15. In the interest of justice, the petition is allowed, and the FIR No. 515/2024, under Sections 115(2), 126(2), 351(2) of the Bharatiya Nyaya Sanhita, 2023, registered at P.S. Fatehpur Beri, and all the other consequential proceedings emanating therefrom including the chargesheet filed and pending before the Court of Mr. Ashish Meena, learned Metropolitan Magistrate, South Distt. Saket Courts, Delhi, is hereby quashed.

16. The present petition is disposed of.

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

18. Copy of the order be communicated to the concerned learned Trial Court for necessary information and compliance.

AMIT SHARMA, J

MAY 21, 2025/kr/sc

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