



2025:DHC:3872



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

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Date of decision: 16.05.2025

+ W.P.(CRL) 1368/2025 & CRL.M.A. 12808/2025 EXEMPTION

MOHD. SUYAIB AND ORS.

.....Petitioners

Through: Mr. Manoj Kr. Duggal, Adv.
along with petitioners in person.

versus

STATE (NCT OF DELHI)& ANR.

....Respondents

Through: Mr. Rahul Tyagi, ASC for the
State with SI Rajesh Kumar, PS
Vijay Vihar.
R-2 in person.**CORAM:-****HON'BLE MR. JUSTICE RAVINDER DUDEJA****JUDGMENT(ORAL)****RAVINDER DUDEJA, J.**

1. This petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeks quashing of FIR No. 179/2025 dated 14.03.2025 U/s 110/3(5) BNS P.S. Vijay Vihar, and all proceedings arising therefrom pursuant to a settlement between the parties.

2. On 14.03.2025, Respondent no. 2, was assaulted near his home in Rohini by four individuals after a verbal altercation over passage. Petitioner no. 2, struck him multiple times on the head with a stone, causing injuries. While two of the petitioners were apprehended on the spot, two others fled, and respondent no. 2 later received medical treatment at Dr. BSA Hospital. Subsequently, the aforesaid FIR was filed.



3. During the pendency of the proceedings, both parties entered into a settlement through the intervention of elders and well-wishers, and subsequently began residing together on 19.03.2025. Pursuant to this both the parties agreed to abide by the terms and conditions as mentioned in the MOU/compromise deed dated 19.03.2025. A copy of the MOU/compromise deed is annexed as *Annexure P2*.

4. The matter was placed before the Joint Registrar on 29.04.2025, who has recorded the statements of both the parties and passed the following orders:-

“29.04.2025

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

Respondent no. 2 has been identified by IO.

Let the pre-verified statement along with this order be placed before the Hon'ble Court on 16th May, 2025.”

5. Petitioner nos. 1 to 4 and respondent no.2 are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Rajesh Kumar from PS Vijay Vihar.

6. Respondent No. 2 submits that the matter has been amicably settled with the Petitioners without any force, fear, or coercion. He has no objection to the terms and conditions mentioned in the Compromise/Settlement Deed dated 19.03.2025 and further submits that he has no objection if FIR No. 179/2025 dated 14.03.2025 U/s 110/3(5) BNS P.S. Vijay Vihar along with all pending proceedings arising therefrom, 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 FIR NO. 179/2025 U/s 110/3(5) BNS registered at P.S. Vijay Vihar along with pending proceeding 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. 179/2025 dated 14.03.2025 U/s 110/3(5) BNS P.S. Vijay Vihar and all the other consequential proceeding emanating therefrom.

10. In the interest of justice, the petition is allowed, and FIR No. 179/2025 dated 14.03.2025 U/s 110/3(5) BNS P.S. Vijay Vihar, along with all the other consequential proceeding emanating therefrom is hereby quashed.



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11. Petition is allowed, subject to deposit of Rs. 5000/- by each petitioners with the “DHCBA Cost A/c No. 15530110179338 maintained with the UCO Bank, Delhi High Court” within a period of 30 days.
12. Pending application(s), if any, also stand disposed of.

RAVINDER DUDEJA, J

MAY 16, 2025/na

