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

+ **CRL.M.C. 3049/2025 & CRL.M.A. 13535/2025**

VIJAY AND ORS

.....Petitioners

Through: Mr. Rashid Khan, Adv. along with
petitioners

versus

THE STATE NCT OF DELHI AND ANR

.....Respondents

Through: Ms. Meenakshi Dahiya, APP for State
with Ms. Divya Bakshi, Adv.
SI Raghuraj, PS Sangam Vihar
R-2 in person

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

03.11.2025

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1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") [earlier Section 482 of the Code of Criminal Procedure, 1973 (hereinafter "CrPC")] has been filed by the petitioners praying for quashing of FIR No. 415/2022 registered at Police Station Sangam Vihar for the offences punishable under Sections 308/34 of the Indian Penal Code, 1860 (hereinafter "IPC").
2. The brief facts of the case are that on 28.06.2022 at around 10 PM, respondent no. 2 was in his room when he received a call from petitioner no. 1 and petitioner no. 2, asking him to come out into the street. When respondent no. 2 went outside, the petitioners allegedly caught hold of him and assaulted him with a hammer, causing bleeding injuries on his head. His



brother-in-law Suraj reached the spot and took him to Batra Hospital, where an MLC was prepared on 29.06.2022.

3. As per the MLC report prepared by Batra Hospital, the injury sustained by respondent no. 2 is simple in nature.

4. Learned counsel appearing on behalf of the petitioners submitted that charges have been framed and the chargesheet has already been filed against the petitioners. It is submitted that the petitioners and respondent no. 2 have settled their disputes amicably and are now moving forward towards a peaceful and harmonious future.

5. Compromise deed dated 05.04.2025 is on record and has been annexed as "Annexure P-6". *Qua* this deed, the respondent no. 2 has agreed to withdraw the case arising out of FIR No. 415/2022 registered at Police Station Sangam Vihar against the petitioners.

6. 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.

7. 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.

8. Heard learned counsel for the parties and perused the record.

9. The petitioners are present before this Court and have been identified by their counsel and Investigating Officer, Police Station Sangam Vihar. Respondent no. 2 is also present in the Court and has been identified by his counsel and the Investigating Officer.

10. On a query made by this Court, respondent no. 2 has categorically stated that he has entered into compromise on his own free will and without



any pressure. It is also stated by him that the entire dispute has been amicably settled between the parties.

11. Keeping in view the fact that the matter stands amicably settled between the petitioners and respondent no. 2 without any pressure, no fruitful purpose would be served by keeping the matter pending.

12. In view of the fact that the parties are neighbours and they have arrived at a settlement, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them.

13. It is, thus, in the interest of justice to quash the afore-mentioned FIR and the proceedings emanating therefrom.

14. Hence, in light of the judgment of the Hon'ble Supreme Court passed in ***Gian Singh v. State of Punjab (2012) 10 SCC 303***, FIR No. 415/2022, registered at Police Station Sangam Vihar, for the offences punishable under Sections 308/34 of the IPC, and consequent proceedings emanating therefrom, are quashed *qua* the present petitioners.

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

AJAY DIGPAUL, J

NOVEMBER 3, 2025/ar/yr