



2025:DHC:4060



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 20.05.2025

+ CRL M.C. 3306/2025 & CRL.M.A. 14546/2025 (exemption),
CRL.M.A. 14547/2025 (stay)

NIRAJ KUMAR AND ANR

.....Petitioners

Through: Mr. Abhay Kumar and Mr.
Karan Chopra, Advs.

P1 and P2 through VC.

versus

STATE OF NCT OF DELHI & ANR. ... Respondents

Through: Mr. Hitesh Vali, APP for the
State with SI Sanjay Dahiya,
PS-Mehrauli.Mr. Shagun Ruhil, Adv. for R2.
R2 through VC.**CORAM:-****HON'BLE MR. JUSTICE RAVINDER DUDEJA****JUDGMENT (ORAL)****RAVINDER DUDEJA, J.**

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of FIR No. 0408/2018, dated 05.07.2018, registered at P.S Mehrauli under sections 75/79 of JJ Act and all proceedings emanating therefrom on the basis of settlement between the parties.

2. The Respondent No.2 (aged 14-15 years) was the domestic help of the Petitioners and was allegedly beaten and mistreated by the



Petitioners. An activist namely Bhawna Dubey of Butterflies Child Line found the Respondent No.2 near Qutub Minar and thereafter, Bhawna Dubey took the Respondent No.2 to PS Mehrauli wherein the statement was recorded. Consequently, the aforesaid FIR No. 0408/2018 was registered against the Petitioners. The charge sheet was filed under sections 75/79 of JJ Act against the Petitioners. The Child Welfare Committee vide judgment dated 24.07.2018 directed the Petitioner No.2 to pay Rs 2,26,322/- as back wages to the Respondent No.2 under Minimum wages Act. The Ld. JMFC-05, Saket Courts vide order on charge dated 04.03.2025 framed charges against the Petitioners.

3. During the proceedings, the parties amicably resolved their disputes and tendered their statements before the Joint Registrar. The Respondent no.2 also gave her No Objection Certificate (NOC) agreeing for quashing of the aforesaid FIR against the Petitioners. No Settlement Deed was executed between the parties.

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

“09.05.2025

1. The present non contentious petition has been filed by the petitioners under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for quashing of the FIR NO. 408/2018 Under Sections 75/79 Juvenile Justice Act, 2015 registered at P.S. Mehrauli on the basis of settlement arrived at between the parties.



2. As per the submissions, the matter between the petitioners and R-2 has been amicably settled.

3. Vide separate statement recorded in this behalf, petitioners stated that dispute between them and R-2 has been amicably settled as per the settlement. 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 and petitioners has been amicably settled as per the settlement. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure.

4. Investigating Officer is present in Court and has duly verified the identity of both the parties. Separate statement of Investigating Officer has also been recorded.

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

6. Learned counsel for 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. 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 20.05.2025."

5. Petitioner no.1 & 2 and Respondent no.2 have entered appearance through VC while advocates for petitioner and respondents are physically present before this Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Sanjay Dahiya from PS-Mehrauli.



6. Respondent No.2 confirms that the matter has been settled with the Petitioners without any force, fear, coercion and she has no objection if the FIR No. 0408/2018 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 present FIR No. 0408/2018 alongwith charge sheet 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. 0408/2018, dated 05.07.2018, registered at P.S Mehrauli under sections 75/79 of JJ Act alongwith charge sheet and all the other consequential proceeding emanating therefrom.



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10. In the interest of justice, the petition is allowed, and the FIR No. 0408/2018, dated 05.07.2018, registered at P.S Mehrauli under sections 75/79 of JJ Act alongwith charge sheet and all the other consequential proceeding emanating therefrom is hereby quashed.

11. Petition is allowed and disposed of accordingly.

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

RAVINDER DUDEJA, J

MAY 20, 2025/AK



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