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

+ **CRL.M.C. 3311/2025**

AMIT DABAS

.....Petitioner

Through: Mr. Mukesh Kumar Sah & Mr.
Akshay Kumar, Advs. with petitioner
in person.

versus

THE STATE OF NCT OF DELHI AND ANRRespondents

Through: Mr. Digam Singh Dagar, APP for the
State.
SI Naveen Sharma, P.S. Bawana.
Mr. Apurva Singhal, Adv. for R-2.
R-2 with her son (injured) through
VC

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **21.05.2025**

1. This hearing has been done through hybrid mode.

CRL.M.A. 14556/2025 (Exemption)

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

CRL.M.C. 3311/2025

3. The present petition under Section 528 of the BNSS seeks quashing of FIR No. 771/2021 under Sections 323/354B/506/509 of the IPC, registered at P.S. Bawana and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Mr. Vaibhav Mehta, learned Metropolitan Magistrate, Rohini Courts, Delhi.

4. Learned counsel appearing on behalf of the petitioner submits that during the pendency of the proceedings, the latter has settled the matter with

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respondent no. 2 *vide* Memorandum of Understanding dated 27.04.2025 and in pursuance of which respondent no. 2/complainant has no objection, if the present FIR and the subsequent chargesheet are quashed.

5. Petitioner is present before the Court and respondent no.2 alongwith her son, the injured in the present FIR, is present through video conferencing and have been duly identified by the Investigating Officer, SI Naveen Sharma, P.S. Bawana.

6. The matter was also placed before the learned Joint Registrar who has recorded the statements of both the parties along with the injured in the present case and passed the following order on 09.05.2025: -

“Today, statement of respondent no. 2, and her son victim in this ease; has been recorded to ascertain the veracity and the genuineness of the parties entering into settlement.

Respondent no. 2 and other victim have been identified by the IO.

Today, statement of 10 also recorded with effect to previous involvement of petitioner.

Let the pre-verified statement along with this order be placed before the Hon'ble Court on 2U' May, 2025

7. A separate statement of respondent no.2 has been recorded which reads as under:-

“I am a victim/injured in FIR No. 771/2021, under Section 323/354B/506/509 /IPC, registered at PS Bawana against the petitioners by / my mother.

Now, We have voluntarily without any pressure or coercion from anyone settled all our issues and disputes with the petitioner and out of our free will entered into MOU/Settlement executed on 28.04.2025 with the petitioner. The MOU/Settlement is on record as annexure P-2 from page 17 onwards bearing signatures and thumb impressions of my mother, however the same are masked to prevent her identity from revealing.

We have entered into settlement without any monetary or any other consideration considering the fact that We and petitioner belong to the same village and are known to each other since long and that the

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incident leading to registration of FIR occurred due to misunderstanding and' miscommunication which now stands resolved.

Accordingly, I do not wish to pursue the above said FIR. My statement be considered as my NOC for quashing of abovesaid FIR. I have no objection if above mentioned FIR and all proceedings emanating therefrom are quashed qua all the petitioners.

In the incident I only suffered some minor simple injury on my left hand.

This is my true statement being made voluntarily in the presence of IO and my mother. I have put my thumb impressions on this statement after the same has been read over to me in hind and I have understood it.”

8. Statement of the injured Mr. S in the present FIR recorded before learned Joint Registrar reads as under: -

“I am a victim/injured in FIR No. 771/2021, under Section 323/354B/506/509 /IPC, registered at PS Bawana against the petitioners by / my mother.

Now, We have voluntarily without any pressure or coercion from anyone settled all our issues and disputes with the petitioner and out of our free will entered into MOU/Settlement executed on 28.04.2025 with the petitioner. The MOU/Settlement is on record as annexure P-2 from page 17 onwards bearing signatures and thumb impressions of my mother, however the same are masked to prevent her identity from revealing.

We have entered into settlement without any monetary or any other consideration considering the fact that We and petitioner belong to the same village and are known to each other since long and that the incident leading to registration of FIR occurred due to misunderstanding and' miscommunication which now stands resolved.

Accordingly, I do not wish to pursue the above said FIR. My statement be considered as my NOC for quashing of abovesaid FIR. I have no objection if above mentioned FIR and all proceedings emanating therefrom are quashed qua all the petitioners.

In the incident I only suffered some minor simple injury on my left hand.

This is my true statement being made voluntarily in the presence of IO and my mother. I have put my thumb impressions on this statement after the same has been read over to me in hind and I have understood it.”

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9. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR and the consequential proceedings arising therefrom including the chargesheet are quashed.

10. 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.”

11. In view of the aforesaid circumstances, and the fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 771/2021 under Sections 323/354B/506/509 of the IPC, registered at P.S. Bawana and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Mr. Vaibhav Mehta, learned Metropolitan Magistrate, Rohini Courts, Delhi.

12. In the interest of justice, the petition is allowed, and the FIR No. 771/2021 under Sections 323/354B/506/509 of the IPC, registered at P.S. Bawana and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Mr. Vaibhav Mehta, learned Metropolitan Magistrate, Rohini Courts, Delhi, is hereby quashed,

13. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MAY 21, 2025/nk

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

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