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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 28.05.2025

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CRL.M.C. 3487/2025

MOHD ABID AND ORS.

.....Petitioners

Through: Petitioners in person with Mr.
Anis Ahmad, Mr. Adeeb
Ahmad, Mr. Sajid Ali Thakur &
Ms. Aafreen Anis, Advs.

versus

THE STATE OF NOT OF DELHI AND ORS.

... Respondents

Through: Sh. Satinder Singh Bawa, APP
for the State with SI Akshay
Dagar, PS Shaheen Bagh
R-2 to 4 in person with Mr.
Sajid A. Chaudhary & Mr.
Arshad Ali, Advs.

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. 0392/2022, dated 02.11.2022, registered at P.S Shaheen Bagh under sections 308/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. The parties are residing in the same locality and in the same building. The Respondents are running their shop at Ground Floor and



on the First Floor and Second Floor the Petitioners are residing along with their families. Whereas due to the renovation of the building, a dispute/quarrel took place between the parties. Both the parties have sustained injuries. Thereafter, Respondents lodged FIR No. 0392/2022, dated 02.11.2022, registered at P.S Shaheen Bagh under sections 308/34 IPC against Petitioners. A cross FIR was lodged by the Petitioners FIR No. 0391/2022, dated 01.11.2022, registered at P.S. Shaheen Bagh under Sections 308/323/34 IPC against the Respondents. The charge sheet was filed in present case FIR No. 392/2022 under sections 308/323/34 IPC.

3. During the proceedings, the parties amicably resolved their disputes and executed a Settlement Deed dated 13.05.2025. In pursuance of the Settlement, the parties have agreed to cooperate in quashing of the FIR. It is submitted that all the previous complaints and litigations initiated by the parties have been withdrawn. The copy of Settlement Deed dated 13.05.2025 has been placed on record as Annexure P-3.

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

“21.05.2025

IO is carrying previous involvement reports of the petitioners as well as MLC's of the victims. Perused. As per MLC's victim sustained simple injuries and none of the petitioner have any previous involvement. IO is directed to file previous involvement



reports as well as MLC's on record by the next date of hearing before the matter is listed before Hon'ble Court.

Statement of parties to ascertaining genuineness and willingness to enter into settlement was already recorded on 20.05.2025.

Let this pre-verified statement along with this order be placed before the Hon'ble Court on **28th May, 2025**.

5. Petitioners No. 1 to 4 and respondents No. 2 to 4 are physically present before the Court with respective counsels. They have been identified by their respective counsels as well as by the Investigating Officer SI Akshay Dagar, PS Shaheen Bagh.

6. Respondents confirm that the matter has been settled with the petitioners without any force, fear, coercion and they have no objection if the FIR No. 0392/2022 alongwith charge sheet 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. 0392/2022 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



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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. 0392/2022, dated 02.11.2022, registered at P.S Shaheen Bagh under sections 308/34 IPC and all the other consequential proceeding emanating therefrom.

10. In the interest of justice, the petition is allowed, and the FIR No. 0392/2022, dated 02.11.2022, registered at P.S Shaheen Bagh under sections 308/34 IPC along with the charge sheet and all the other consequential proceeding emanating therefrom is hereby quashed, subject to petitioners depositing Rs. 2500/- each as cost with Delhi High Court Advocate's Welfare fund account in "DHCBA Cost A/C No. 15530110179338" maintained with UCO Bank, Delhi High Court, New Delhi, within 15 days from today.

11. Petition is allowed and disposed of accordingly.

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

RAVINDER DUDEJA, J

MAY 28, 2025/AK