



2025:DHC:7865



\$~77

* IN THE HIGH COURT OF DELHI AT NEW DELHI

%

Date of decision: 09.09.2025

+

CRL.M.C. 3517/2025

SADIQUE AHMAD @NANHE & ORS.Petitioners

Through: Mr. Dharamvir Singh & Mr.
Jagdish Singh, Advs. along with
petitioners in person.

versus

THE STATE OF NCT OF DELHI & ORS. ... Respondents

Through: Ms. Kiran Bairwa, APP for the
State with Insp. Sharvan Kumar
& SI Narender Kumar, PS
Sultan Puri

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, seeking quashing of FIR No. 37/2011, dated 17.04.2024, registered at P.S Sultanpuri, Delhi under Sections 452/323/341/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. As per allegations made in the FIR, on 15.04.2009, petitioners forcibly broke into the house of respondent no. 3, physically assaulted respondents with katta, sariya and lathis and snatched Rs. 5,000 and gold chains. It is submitted that the nature of injuries sustained were



grievous injuries including fracture and eye injury. FIR No. 37/2011 was lodged at instance of respondent no. 2 under section 452/323/341/34 IPC.

3. During the course of proceedings, the parties amicably resolved their disputes before the Mediation Centre, Rohini District Courts, Delhi and executed a Settlement Agreement dated 02.11.2023. Copy of the Settlement Agreement dated 02.11.2023 has been annexed as Annexure P-3.

4. Parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer Inspector Sharvan Kumar and SI Narender Kumar, from PS Sultan Puri.

5. Respondents confirm that the matter has been amicably settled with the petitioners without any force, fear, coercion and they have no objection if the FIR No. 37/2011 is quashed against the petitioners.

6. Learned APP has raised objection to the quashing stating that the offence is serious in nature being punishable with imprisonment upto 7 years and is non-bailable.

7. 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."

8. Further, it is settled that the inherent powers under section 482 of the Code are required to be exercised to secure the ends of justice or to prevent abuse of the process of any court. Further, the High Court can quash non-compoundable offences after considering the nature of the offence and the amicable settlement between the concerned parties. Reliance may be placed upon ***B.S. Joshi v. State of Haryana, (2003) 4 SCC 675.***

9. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion. Hence, it would be in the interest of justice, to quash the abovementioned FIR and the proceedings pursuant thereto.

10. The petition is allowed, and the FIR No. 37/2011, dated 17.04.2024, registered at P.S Sultanpuri, Delhi under sections 452/323/341/34 IPC and all the other consequential proceeding emanating therefrom is hereby quashed.

11. Petition is allowed and disposed of accordingly.



2025:DHC:7865



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

RAVINDER DUDEJA, J

September 09, 2025

SK

