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

+ CRL.M.C. 3695/2025, CRL.M.A. 16281/2025

GAURAV GUPTA

.....Petitioner

Through: Mr. Vikas Arora and Mr. Siddharth Singh, Advocates.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Shailesh Chandra Jha, Advocate for R-2 with R-2 in person.
Mr. Mukesh Kumar, APP for State with Mr. Bharat Lal, Insp., PS-Hauz Khas,

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **30.05.2025**

1. The present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (earlier Section 482 of the Code of Criminal Procedure, 1973²) seeks quashing of FIR No. 414/2021 dated 1st December, 2021, registered under Sections 3(1)(r) & 3(1)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989³ [wrongly mentioned as Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015] and Sections 323, 341 and 506(II) of the Indian Penal Code, 1860⁴, at P.S. Hauz Khas, and all proceedings emanating

¹ "BNSS"

² "CrPC"

³ "SC/ST Act"

⁴ "IPC"



therefrom. Subsequent to the registration of the FIR, charge sheet was filed and Section 3(2)(va) of the SC/ST Act was added. This request is made in light of the amicable settlement reached between the parties, as evidenced by the Settlement Agreement executed on 15th April, 2025, between the Petitioner and Respondent No. 2. A copy of the aforementioned Settlement Agreement has been duly placed on record.

2. Briefly stated, the case of Complainant, Suraj Prakash (Respondent No. 2), who is employed as a court clerk with an advocate at Basement, A-17, Hauz Khas, New Delhi, is that on 27th September 2021, at approximately 6:15 PM, he was standing at the gate engaged in a phone conversation with a friend. At that moment, Gaurav Gupta (the Petitioner), residing on the second floor of the same premises, approached him, seized his phone, and threw it to the ground, causing it to break. Without any provocation, he began assaulting the Complainant and, during the assault, made casteist remarks, implying that the Complainant was inferior to him. It is alleged that the casteist slurs were made in the presence of the Complainant's office colleagues. Further, when the Complainant attempted to go back inside, Gaurav blocked his way and continued to beat him. He also threatened the Complainant, stating that he would no longer be allowed to enter.

3. The charge sheet stands filed and charges have been framed. However, during the pendency of the proceedings before the Trial Court, the parties have, with the intervention of friends and family, amicably resolved their disputes and have decided to bring an end to the dispute. Pursuant thereto, a Settlement Agreement has been executed between the Petitioner and Respondent No. 2 on 15th April, 2025. A copy of the Settlement Agreement is duly placed on the record and perused by the Court.



4. On 26th May, 2025, Respondent No. 2 (the Complainant) appeared before the Joint Registrar and confirmed the settlement between the parties. He affirmed that the settlement was made voluntarily, of his own free will, and without any pressure or coercion. He further clarified that the dispute had been resolved without any monetary or other form of consideration, given that the Petitioner resides in the same building where he is employed and that the issue stemmed from a minor car parking disagreement. Respondent No. 2 present in person categorically expresses that he does not wish to pursue the proceedings emanating from FIR in question and has no objection to its quashing.

5. The Court has carefully considered the submissions advanced. It is not in dispute that the offences under Sections 3(1)(r), 3(1)(s), and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 are non-compoundable in nature. Likewise, the offence under Section 506 of the Indian Penal Code is also non-compoundable in certain circumstances. The Court is also mindful that, as a general rule, proceedings arising under special statutes such as the SC/ST Act warrant a cautious and restrained approach, bearing in mind the legislative intent to safeguard the rights and dignity of marginalised communities. Nevertheless, it is equally well settled that in appropriate and exceptional situations, the High Court, in exercise of its inherent jurisdiction under Section 482 of the Code of Criminal Procedure (or Section 528 of BNSS 2023), may quash criminal proceedings where the factual matrix discloses no real or subsisting cause for prosecution, and where such interference is necessary to secure the ends of justice.



6. On this aspect, it is apposite to rely to the decision of **Ramawatar v. State of Madhya Pradesh**,⁵ wherein the Supreme Court held as under:

“17. On the other hand, where it appears to the Court that the offence in question, although covered under the SC/ST Act, is primarily private or civil in nature, or where the alleged offence has not been committed on account of the caste of the victim, or where the continuation of the legal proceedings would be an abuse of the process of law, the Court can exercise its powers to quash the proceedings. On similar lines, when considering a prayer for quashing on the basis of a compromise/settlement, if the Court is satisfied that the underlying objective of the Act would not be contravened or diminished even if the felony in question goes unpunished, the mere fact that the offence is covered under a "special statute" would not refrain this Court or the High Court, from exercising their respective powers under Article 142 of the Constitution or Section 482 CrPC.”

7. In this case, the parties are acquainted and reside in close proximity. The dispute originated from a personal altercation, over a car parking issue and Respondent No. 2 has specifically stated, before the Joint registrar, that the FIR was registered due to some misunderstanding. On a specific query of this court, Respondent No. 2 has stated that he entered into the settlement of his own free will and without any coercion, thereby, agreeing to drop criminal proceedings. Considering the nature of the dispute, the voluntary settlement, and the absence of public interest in continuing the proceedings, the Court concludes that the continuation of the criminal proceedings would serve no useful purpose and would constitute an abuse of the process of law.

8. In view of the foregoing, FIR No. 414/2021 dated 1st December, 2021, registered under Sections 3(1)(r) & 3(1)(s) of the SC/ST Act and Sections 323, 341 and 506 of IPC, at P.S. Hauz Khas and all proceedings emanating therefrom are hereby quashed.

9. Although Respondent No. 2 has not sought any monetary

⁵ 2021 SCC OnLine SC 966



compensation, the Petitioner, during the course of proceedings, has voluntarily undertaken to abide by any direction that may be issued by this Court in that regard. Consequently, having regards to the facts of the case, the Petitioner is directed to pay INR 25,000/- to Respondent No. 2 and INR 10,000/- to the High Court Clerk's Welfare Fund as compensation.

10. The parties shall remain bound by the terms of settlement.

11. Accordingly, the petition is disposed of, in the above terms, along with pending application(s).

SANJEEV NARULA, J

MAY 30, 2025

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