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

+ CRL.M.C. 3787/2025

SHUBHAM BANSAL

.....Petitioner

Through: Mr. Dinesh Kumar Madesiya, Adv.
with petitioner (through VC)

versus

STATE (GOVT. OF NCT OF DELHI) & ANR.Respondents

Through: Mr. Satish Kumar, APP for State.
SI Mahendra Patel, PS Narela
R-2 present through VC

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

15.09.2025

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1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") has been filed by the petitioner praying for quashing of FIR No.495/2016 registered at Police Station – Narela on 04.07.2016, for offences punishable under Sections 287/338 of the Indian Penal Code, 1860 (hereinafter "IPC").

2. The brief facts of the case are that respondent no. 2 has been working in the Narela Factory owned by the petitioner for one year where he operates certain machinery. The machine was not working properly for 15 days. Respondent no. 2 requested the petitioner to get the machine fixed so that he can work properly but the petitioner threatened him of not paying him his full salary if he complained again. This resulted in respondent no. 2 getting injured as four fingers of his right hand got chopped by the said machine.



This resulted in the registration of the subject FIR. A chargesheet to that effect is also on record.

3. Learned counsel appearing on behalf of the petitioner submitted that the petitioner and respondent no.2 have settled their disputes amicably and are now moving forward towards a peaceful and harmonious future. It is further submitted that the respondent no. 2 has been duly compensated for the injuries suffered by him along with his medical expenses by the petitioner.

4. Memorandum of Understanding (Hereinafter “MoU”) dated 07.01.2025 is on record and has been annexed as “Annexure – 3”. *Qua* this MoU, the respondent no.2 has agreed to withdraw the case arising out of FIR No.495/2016 registered at Police Station – Narela against the petitioner.

5. Learned counsel appearing on behalf of the petitioner submitted that respondent no.2 has settled all his claims in respect of medical expenses etc. with the petitioner and all disputes of any nature whatsoever for a sum of ₹1,50,000/-.

6. It is prayed by the learned counsel appearing on behalf of the parties that the instant FIR may be quashed on the basis of the MoU.

7. Learned APP for the State, who appears on advance notice, accepts notice and submits that there is no opposition to the prayer made by the petitioner seeking quashing of the FIR in question in view of the settlement arrived at between the parties.

8. Heard learned counsel for the parties and perused the record.

9. The petitioner is (virtually) present before this Court and has been identified by his counsel and Investigating Officer, Police Station – Narela.



Respondent no. 2 is also (virtually) present in the Court and has been identified by the counsel and the Investigating Officer.

10. On a query made by this Court, respondent no.2 has categorically stated that he has entered into compromise on his own free will and without any pressure. It is also stated by him that the entire dispute has been amicably settled between the parties.

11. Keeping in view the fact that the matter stands settled between the petitioner and respondent no.2 amicably without any pressure, no fruitful purpose would be served by keeping the matter pending.

12. In view of the fact that the parties have arrived at a settlement, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them. Further in view of the fact that the parties have arrived at settlement, the chances of ultimate conviction of the accused persons are also bleak.

13. It is, thus, in the interest of justice to quash the afore-mentioned FIR and the proceedings emanating therefrom.

14. Hence, in light of the judgment of the Hon'ble Supreme Court passed in **Gian Singh vs. State of Punjab (2012) 10 SCC 303**, FIR No.495/2016 registered at Police Station – Narela, for offences punishable under Sections 287/338 of the IPC, and consequent proceedings emanating therefrom, stand quashed *qua* the present petitioner.

15. The petition along with pending application(s), if any, stands disposed of.

AJAY DIGPAUL, J

SEPTEMBER 15, 2025/AS/av