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

+ **CRL.M.C. 4317/2025 & CRL.M.A. 18823/2025**

VIJAY BAHADUR PAL

.....Petitioner

Through: Adv. for petitioner along with
petitioner (appearance not given)

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Utkarsh, APP for State with SI
Shah Faisal, PS New Ashok Nagar
Mr. Avishek Kumar, Adv. for R-2 along with R-2

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

09.09.2025

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1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") [earlier Section 482 of the Code of Criminal Procedure, 1973 (hereinafter "CrPC.")] has been filed by the petitioner praying for quashing of FIR No. 60/2021, registered at Police Station New Ashok Nagar, on 10.03.2021, for offences punishable under Sections 308/506 of the Indian Penal Code, 1860 (hereinafter "IPC").
2. The brief facts of the case are that on 09.03.2021, a quarrel took place between the petitioner and respondent no. 2 regarding the partition of a common iron rolling shutter between the lower ground floor and upper ground floor of the building, pursuant to which the present FIR was registered at New Ashok Nagar.



3. Learned counsel appearing on behalf of the petitioner has submitted that the chargesheet has already been filed against the petitioner. It is submitted that the petitioner and respondent no. 2 have settled their disputes amicably and have agreed on certain terms regarding constructing separate shutters and stairs in the common area shared between the shops owned by both the parties.
4. Settlement deed dated 16.12.2024 is on record and has been annexed as Annexure P-4. Qua this deed, the respondent no. 2 has agreed to withdraw the case arising out of FIR No. 60/2021 registered at Police Station New Ashok Nagar against the petitioner.
5. 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 compromise.
6. 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 petitioners seeking quashing of the FIR in question in view of the settlement arrived at between the parties.
7. Heard learned counsel for the parties and perused the record.
8. The petitioner is present before this Court and has been identified by his counsel and Investigating Officer, Police Station New Ashok Nagar. Respondent no. 2 is also present in the Court and has been identified by his counsel and the Investigating Officer.
9. 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.
10. In view of the fact that the parties have arrived at a settlement and



further having regard to the fact that even though Section 308 IPC has been invoked, the injury suffered by the complainant/respondent no. 2 is simple in nature, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them.

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

12. In the present case, the State machinery has been put into motion and the police has concluded the investigation and has filed the charge-sheet and further the judicial time has also been wasted, it is deemed appropriate to impose cost on the petitioner. In the facts and circumstances of the present case, the petitioner is directed to deposit a cost of Rs.10,000/- with the Delhi High Court Legal Services Committee within a period of two weeks from today.

13. 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. 60/2021, registered at Police Station New Ashok Nagar, for offences punishable under Sections 308/506 of the IPC, and consequent proceedings emanating therefrom, are quashed subject to payment of cost of Rs.10,000/-, which shall be deposited with the Delhi High Court Legal Service Authority within a period of one week from today. The receipt of payment is to be deposited and verified by the concerned IO.

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

AJAY DIGPAUL, J

SEPTEMBER 9, 2025/ar/dd