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

+ **W.P.(CRL) 2107/2025 & CRL.M.A. 19668/2025**

GAURAV SAROJ & ORS.

.....Petitioners

Through: Mr. V. P. Rana and Mr. Kunal Mittal,
Advs. along with all petitioners in person.

versus

STATE OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Priyam Aggarwal on behalf of
Mr. Sanjay Lao, Standing Counsel for State with
SI Sushil, PS Kapashera
Mr. Seremon Rawat and Mr. Diwas, Advs. for
respondents with all respondents in person.

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

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22.08.2025

1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") has been filed by the petitioners praying for quashing of FIR No. 143/2025 registered at Police Station Kapashera on 18.03.2025, for offences punishable under Sections 115(2)/127/140/324/333/3(5) of the Bharatiya Nyaya Sanhita (Hereinafter "BNS"), 2023.
2. The brief facts of the case are that on 18.03.2025, respondent no. 2, while staying at Rashid's scrap godown, Kapashera, was allegedly assaulted and confined by 15-20 persons, the premises was ransacked, and both her



and respondent no. 3 sustained simple injuries. After the said incident, the FIR No. 143/2025 got registered against the petitioners.

3. It is submitted that the petitioners and respondent no. 2 & 3 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 & 3 have been duly compensated for the injuries suffered by him along with his medical expenses by the petitioners.

4. Memorandum of Understanding (Hereinafter “MoU”) dated 04.06.2025 is on record and has been annexed as Annexure P-2. Qua this MoU, the respondent no. 2 and 3 have agreed to withdraw the case arising out of FIR No.143/2025 registered at Police Station Kapashera against the petitioners.

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 MoU.

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 petitioners are present before this Court and have been identified by their counsel and Investigating Officer, Police Station Kapashera. All the respondents are also present in the Court and have been identified by their counsel and the Investigating Officer.

9. On a query made by this Court, respondent no. 2 & 3 have 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. Keeping in view the fact that the matter stands amicably been settled between the petitioners and respondent no. 2 amicably without any pressure, no fruitful purpose would be served by keeping the matter pending.

11. In view of the fact that the parties are neighbours and they have arrived at a settlement and further having regard to the fact that the injury suffered by respondent no. 2 and 3 is simple in nature, 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.

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

13. 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 petitioners and respondents. In the facts and circumstances of the present case, the petitioners are directed to deposit cost of ₹25,000/- to the CDCBA Members Welfare Fund, Account bearing No. 33640110020388 (IFSC Code: UCBA0003364) maintained with the UCO Bank, Rouse Avenue Court Complex, New Delhi and ₹25,000/- to the Delhi Police Welfare Society within a period two weeks from today.

14. The respondents are also directed to deposit ₹25,000/- in the account of DHCBA Women Advocates Welfare Fund i.e., saving account no. 15530110172858 (IFSC- UCBA0001553), Bank Name- UCO Bank,



Branch- Delhi High Court and ₹25,000/- to the Delhi High Court Legal Services Committee within a period two weeks from today.

15. 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.143/2025 registered at Police Station Kapashera, for offences punishable under Sections 115(2)/127/140/324/333/3(5) of the BNS, and consequent proceedings emanating therefrom, are quashed subject to payment of the afore-mentioned costs. The receipt of payment is to be deposited and verified by the concerned IO.

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

AJAY DIGPAUL, J

AUGUST 22, 2025/AS/dd