



\$~19

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

+ **W.P.(CRL) 2149/2025**

SIDDHARTH SHARMA ALIAS DEEPAK KUMAR

.....Petitioner

Through: Mr. _____(Appearance not given)
along with petitioner in person

versus

STATE GOVT OF NCT NEW DELHI AND ANR

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
with Mr. Abhinav Arya and Mr. Aryan Sachdeva,
Advs.with Insp. Iccha Ram, PS Daryaganj
Respondent no. 2 in person

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

%

13.08.2025

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. 323/2024 registered at Police Station Darya Ganj, Delhi for offences punishable under Sections 318(4)/61(2) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter "BNS").
2. The brief facts of the case are that the complainant filed a complaint against the petitioner alleging that the petitioner had taken delivery of 2 Kg of gold on behalf of his alleged employer, one Abhishek Dubey, who is a



co-accused in the FIR. It was alleged that his employer did not pay the complainant, and that the mobile number of his employer was not reachable after delivery of the gold. Pursuant to this, respondent no. 2 got FIR no. 323/2024 registered.

3. It is submitted that the petitioner and respondent no. 2 have settled their disputes amicably and are now moving forward towards a peaceful future.

4. Memorandum of Understanding dated 26.05.2025 (hereinafter “MOU”) is on record and has been annexed as Annexure P-2. Qua this MOU, the respondent no. 2 has agreed to withdraw the case arising out of FIR No. 323/2024 registered at Police Station Darya Ganj, Delhi 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 MOU.

6. Learned Standing Counsel for the State, Mr. Sanjay Lao, who appears on advance notice, accepts notice. He raises severe objection to the conduct of the parties, stating that state machinery was utilised to investigate the alleged crime, concerning a large quantity of gold, and that the settlement agreement on record is completely silent as to the whereabouts of this gold.

7. He submits that the parties ought not to have involved state resources in what appears to be a private dispute wherein both the accused and the complainant seem to be withholding information.

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

9. The petitioner is present before this Court and has been identified by his counsel and Investigating Officer Inspector Iccha Ram, Police Station



Darya Ganj. Respondent no. 2 is also present in the Court and has been identified by 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 amicably been 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 in the present case, State machinery has been put into motion and judicial time has also been wasted, it is deemed appropriate to impose costs on the petitioner as well as respondent no. 2. In the facts and circumstances of the present case, the petitioner and respondent no. 2 are directed to deposit a sum of ₹ 25,000/- each with DHCBA Women Advocates Welfare Fund 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. 323/2024 registered at Police Station Darya Ganj, Delhi for offences punishable under Sections 318(4)/61(2) of the BNS, and consequent proceedings emanating therefrom, stand quashed subject to payment of costs by petitioner and respondent no. 2 of ₹ 25,000/- each, which shall be deposited 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 within a period of one week from today. The receipt of payment is to be verified by the concerned IO.



14. The petition, along with pending applications, if any, stands disposed of.

AUGUST 13, 2025
gs/av

AJAY DIGPAUL, J