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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 4879/2025

ARUN DAGAR & ORS.

.....Petitioners

Through: Mr. Brijender Singh Dhull, Adv. with
petitioners in person.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Ms. Priyanka Dalal, APP for State
with SI Gaurav, PS Jaffarpur Kalan.
Mr. Sachin Malik, Adv. for R-2 with
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

23.07.2025

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1. Present petition has been filed under Section 528 BNSS (Section 482 CRPC), seeking quashing of FIR No. 89/2024 dated 18.07.2024, under Sections 110 and 3(5) BNS, registered at P.S. Jaffarpur Kalan, Delhi on the basis of settlement vide compromise dated 04.06.2025 between the parties.
2. As per the FIR, the complainant was called to the field by the petitioners, where they began threatening and abusing him. When the complainant attempted to record the incident, Petitioner No. 1 allegedly snatched his phone and handed it to Petitioner No. 2. The complainant further alleges that the petitioners then assaulted him brutally with sticks, targeting his head, chest, and neck, with the intention to kill. After the assault, the petitioners left him injured in the field and took his phone with them. Some bystanders later admitted the complainant to RTRM Hospital,



Jaffarpur Kalan.

3. In this context, I have heard the submissions of the parties and examined the case file.

4. The learned APP for the State has expressed no objection to quashing the FIR in light of the settlement reached between the parties.

5. The parties are neighbours, residing in the same locality, and are well acquainted with each other. It appears that a pre-existing dispute led to a heated altercation, resulting in mutual allegations and the registration of two cross FIRs.

6. Upon a query posed by the Court regarding the nature of the grievous injuries which led to the invocation of Section 110 of the BNS, Respondent No. 2, the victim, who is present in Court, clarified that the allegations were made in the heat of the moment and were a result of misperception during the scuffle. He candidly states that since the petitioners were wielding sticks during the altercation, he presumed that there was an intention to cause fatal harm, which led him to allege an intention to kill, thereby invoking Section 110 of the BNS. However, upon reflection and with the benefit of hindsight, he submits that he only sustained a minor injury—i.e., a broken half-tooth—during a mutual physical altercation in which both sides were equally involved.

6.1. He further acknowledges that the rest of the allegations were exaggerated and stemmed from the emotional intensity of the cross-fight. Respondent No. 2 affirms that he has since made a complete recovery, and now, in view of the peaceful resolution arrived at between the parties and the need to preserve future harmony in their shared neighbourhood, he does not wish to pursue the matter further or press any charges.



6.2. The petitioners submit that a compromise has been reached. Petitioners No. 2 and 3 are ex-Army personnel with clean records. Both parties have expressed their intention to resolve the dispute and continue living peacefully as neighbours.

7. In view of the totality of circumstances, it is evident that the dispute in question arose out of a sudden and spontaneous altercation between neighbours, driven by momentary anger, rather than any premeditated or heinous criminal intent. The matter is purely personal in nature, involving no element of public interest, societal harm, or threat to public order. Respondent No. 2 has voluntarily appeared before this Court, expressed his desire not to pursue the matter, and confirmed that the injuries suffered were minor and the allegations of grievous hurt and intent to kill were made in the heat of the moment due to a misperception caused by the petitioners wielding sticks.

8. The petitioners, including two ex-Army personnel with clean antecedents, have expressed remorse and a sincere commitment to avoid any such conduct in the future. Both sides have affirmed a genuine and voluntary settlement and have resolved to live peacefully in the same neighbourhood.

9. The petitioners and Respondent No. 2 are present in Court and have been identified by their respective counsel and the Investigating Officer.

10. Continuing the proceedings would amount to an abuse of process, particularly when the matter has been amicably resolved. Such continuation could reignite hostility and undermine the purpose of the settlement. Hence, proceeding with the trial would serve no useful purpose, rather it would further lead to unnecessary burden on judicial resources and public machinery, while possibly reigniting hostilities.



11. The petitioners have expressed remorse for their conduct and have undertaken not to repeat such actions in the future. Respondent No. 2 confirms that the settlement was entered into voluntarily and without any coercion. The parties shall thus remain bound by the statements made before the Court today.

12. In these circumstances, it is appropriate to quash the FIR and all consequential proceedings. Reference may be made to the judgment of the Hon'ble Supreme Court in *Gian Singh v. State of Punjab & Anr.*, (2012) 10 SCC 303.

13. Consequently, the instant petition is allowed. The criminal proceedings arising out of FIR No. 89/2024 dated 18.07.2024, for the alleged offences committed under under Sections 110/3(5) BNS, registered at P.S. Jaffarpur Kalan, Delhi against the petitioners and further proceedings arising therefrom are hereby quashed.

14. The petition stands disposed of.

ARUN MONGA, J

JULY 23, 2025/akc