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

+ W.P.(CRL) 2483/2025 and CRL.M.A. 23454/2025

MOHD WASEEM AND ORS.Petitioners

Through: Mr. Junef Alam, Advocate.

versus

THE STATE OF NCT OF DELHI AND ANRRespondents

Through: Mr. Sanjeev Bhjanbdari, ASC
(Criminal) with Mr. Arjit Sharma and
Ms. Sakshi Jha, Advocates.
SI Vipin Shokeen, PS Sarai Rohilla.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

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11.08.2025

1. Petitioners herein seek quashing of an FIR No. 384/2020 dated 18.10.2020, registered at Police Station Sarai Rohilla for offences under Sections 323, 452, 506, 34 of IPC, as well as the consequential proceedings arising therefrom, on the basis of a compromise between the parties.
2. Per FIR, petitioners allegedly entered respondent no.2's residence without permission, and assaulted respondent no. 2 along with his mother and sister, and further threatened to falsely implicate them in a false case.
3. Learned counsel for the petitioners submits that the parties have now amicably settled the matter through a MOU/ Settlement Deed dated 01.08.2025.
4. The parties are present in person before the Court and, upon



interaction, it is borne out that the actual dispute is private in nature and has been amicably resolved. Complainant/Respondent no.2 has voluntarily affirmed, without any coercion or duress, that he does not wish to pursue the matter further and supports the quashing of the FIR.

5. On a Court query, respondent no.2 submits that though it was a cross-fight between the two brothers, in the heat of the moment, as he had suffered injuries, he levelled certain allegations against his elder brother. He subsequently realized his mistake and the adverse consequences arising therefrom, and he deeply regrets having done so. He further states that while lodging the FIR, he was not aware of the specific sections invoked by the police officials, all he intended was that appropriate action be taken against his brother so that no physical assault occurs in future. He submits that with the intervention of elders and friends, he has had a change of heart towards his elder brother and amicably settled his differences with him, and therefore does not wish to press any charges.

5.1 Complainant further states that the injuries suffered by him were minor in nature, and he has fully recovered from the same.

6. Learned counsel for the petitioners, relying on the judgment in ***Gian Singh vs. State of Punjab & Anr., (2012) 10 SCC 303***, submits that in view of the settlement, the FIR and all consequential proceedings deserve to be quashed.

7. In the aforesaid backdrop, I have heard learned counsels for the parties, as well as perused case file.

8. It transpires that a verbal altercation between two brothers, i.e., the complainant and the petitioner no.1, escalated into physical violence. The dispute between the parties, being essentially private in nature and arising



out of a quarrel between family members, has now been amicably resolved.

9. In such circumstances, continuation of the criminal proceedings would serve no useful purpose and would rather amount to an abuse of the process of law. As respondent no.2 does not wish to pursue the matter further, allowing the proceedings to continue would only rekindle hostility, whereas quashing the same would promote peace and cordial family relations.

10. In view of the above, and applying the ratio laid down in **Gian Singh** (supra), it is deemed just and appropriate to invoke the inherent powers of this Court under Section 528 of the BNSS to prevent undue hardship to the parties and promote mutual goodwill and societal harmony. Allowing criminal proceedings to continue in light of the compromise would be an abuse of the process of law.

11. Accordingly, the instant petition is allowed. FIR No. 384/2020 dated 18.10.2020, registered at Police Sarai Rohilla, and all other consequential proceedings for offences under Sections 323, 452, 506, 34 of IPC, against petitioner nos. 1 to 4 are hereby quashed.

12. Pending application(s), if any, also stand disposed of.

ARUN MONGA, J

AUGUST 11, 2025

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