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

+ **CRL.M.C. 6068/2025, CRL.M.A. 25778/2025**

SH VINOD

.....Petitioner

Through: Mr. Narender Kumar, Advocate
alongwith Petitioner in person.

versus

THE STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Digam Singh Dagar, APP for the
State with SI Ankur Sejwal, ASI
Jagpal.
Mr. Sameer Akram, Advocate for R-2
alongwith respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

29.08.2025

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1. Petitioner herein seeks quashing of an FIR No. 486/2016, dated 10.05.2016, under Sections 308 and 34 of IPC, registered at P.S. Malviya Nagar, and all consequent criminal proceedings emanating therefrom, on the basis of the comprise between parties.
2. Complainant alleged that, on 08.05.2016, he was attacked by petitioner and four others attacked him. He further alleged that the petitioner hit him with a heavy object on his head and the other hit him on his neck and right hand.
3. In the aforesaid backdrop, I have heard the learned counsel for the Petitioner, APP for the State and Respondent no.2 and have also perused the



case file.

4. Learned Counsel for the petitioner submit that the parties have settled the dispute which was result of a misunderstanding between them, *vide* compromise dated 13.08.2025 as placed on record (**Annexure- P-5**). He further submits that respondent No. 2 has filed an affidavit of no objection, and co-accused have already been discharged. Moreover, there is no likelihood of conviction and continuation of proceedings would only amount to abuse of process, the FIR deserves to be quashed to secure the ends of justice in terms of settled law.

5. Both the counsel for Respondent No.2 and the learned APP concurs with the factum of compromise arrived at between the parties and convey their no objection to the quashing of the FIR.

6. I have interacted with Respondent no.2 (complainant) who is present in person, and it so appears that he has settled their differences without any duress and coercion and out of his free will. It appears that the parties have resolved their differences and arrived at a mutual compromise, desire to restore cordial relations. He states that no allegation of the kind attracting Section 308 of IPC qua the petitioner was leveled. He did not inflict any injury.

7. Since the complainant does not wish to press charges against the petitioner and there is no incriminating material against him, the chances of conviction are almost negligible. Further criminal proceedings before the court and continuation of the trial would be an abuse of the process of law, especially where the parties have amicably settled their dispute which does not involve any public interest or interest of the society at large. It will be an exercise in futility and wasteful expense of public exchequer.



8. In such circumstances, continuation of proceedings may rather result in hostility between the parties and defeat the very purpose of such settlement.

9. Thus, in the premise, in the larger interest of justice, invoking inherent powers vested with this Court under Section 528 of the BNSS it is deemed expedient to quash the FIR no. 486/2016. Reference in this context may also be had to judgment rendered in the case of ***Gian Singh v. State of Punjab & Anr. [(2012) 10 SCC 303]***.

10. The instant petition is thus allowed. The criminal proceedings arising out of FIR No. 486/2016, dated 10.05.2016, under Sections 308 and 34 of IPC, registered at P.S. Malviya Nagar, against the petitioner and further proceedings arising therefrom are hereby quashed.

11. All pending application(s), if any, shall also stand disposed of.

ARUN MONGA, J

AUGUST 29, 2025/rs/nk