



2025:DHC:10963



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 06.12.2025

+ CRL.M.C. 7414/2024 & CRL.M.A. 28302/2024 EXEMPTION,
CRL.M.A. 34453/2024 FOR IMPLEADMENT

FAIZAN & ANR.

.....Petitioner

Through: Mr. Vineet Jain, Adv. with
petitioner nos. 1 & 2 in person
and petitioner no. 3 through
VC.

versus

STATE GOVT. OF NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP
with SI Kavinder, ASI Amit
Kumar, PS Bara Hindu Rao.
Respondent no. 2 & 3 in person.

CORAM:-

HON'BLE MR. JUSTICE RAVINDER DUDEJA

JUDGMENT (ORAL)

RAVINDER DUDEJA, J.

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of FIR No. 294/2024, dated 02.07.2024, registered at PS Bara Hindu Rao, Delhi under sections 290/106(1) BNS and all proceedings emanating therefrom on the basis of settlement between the parties.



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2. Amended Memo of parties filed and is taken on record.
3. As per averments made in the FIR, son of Respondent No. 2 fell from under construction 3rd floor of Sanatam Dharam Kothi Mem Bara Hindu Rao and was declared dead when taken to hospital. FIR No. 294/2024 was lodged at the instance of Respondent no. 2 under section 290/106(1) BNS against the petitioners. Petitioners no. 1 & 2 are builder and contractor for construction work and petitioner no. 3 is the owner of the property.
4. It is submitted that during the pendency of the proceedings both the parties have come to amicable settlement and executed settlement deed dated 03.07.2024. As per the settlement deed, petitioners had agreed to pay total amount of Rs. 5,00,000/- to respondent. However, during the pendency of the present petition the petitioners have agreed to pay Rs. 10,00,000/- towards full and final settlement to respondent no. 2. Copy of the settlement deed dated 03.07.2024 has been annexed as Annexure B.
5. Petitioner no 1, 2 & respondent no. 2 and 3 are physically - present before the Court while petitioner no. 3 has entered his appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer SI Kavinder, ASI Amit Kumar, PS Bara Hindu Rao.



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6. Respondents confirm that the matter has been amicably settled with the petitioners without any force, fear, coercion and they have received the entire settlement amount and have no objection if the FIR No. 294/2024 is quashed against the Petitioners.

7. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 294/2024 is quashed.

8. In ***Gian Singh vs State of Punjab (2012) 10 SCC 303***, Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

"61. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceedings."

9. Further, it is settled that the inherent powers under section 482 of the Code are required to be exercised to secure the ends of justice or to prevent abuse of the process of any court. Further, the High Court can quash non-compoundable offences after considering the nature of the offence and the amicable settlement between the concerned



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parties. Reliance may be placed upon *B.S. Joshi v. State of Haryana, (2003) 4 SCC 675*.

10. In view of the aforesaid circumstances and the fact that parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 294/2024, dated 02.07.2024, registered at PS Bara Hindu Rao, Delhi under sections 290/106(1) BNS and all the other consequential proceeding emanating therefrom.

11. In the interest of justice, the petition is allowed, and the FIR No. 294/2024, dated 02.07.2024, registered at PS Bara Hindu Rao, Delhi under sections 290/106(1) BNS and all the other consequential proceeding emanating therefrom is hereby quashed subject to petitioner depositing Rs. 10,000/- cost with Delhi High Court Staff Welfare Fund bearing Account No. 15530110074442 maintained with UCO Bank within a period of one month.

12. Petition is allowed and disposed of accordingly.

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

RAVINDER DUDEJA, J

DECEMBER 06, 2025

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