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

+ **CRL.M.C. 6542/2025 & CRL.M.A. 27543/2025 EXMP.**

MANISH JAIN

.....Petitioner

Through: Mr. Karan Sachdeva and Ms Richa Sharma, Advs. with petitioner in person.

versus

THE STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Digam Singh Dagar, APP for the State with ASI Parul,, P.S. Shastri Park.

Mr. Anil Kumar Singh, Adv. for R-2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

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15.09.2025

1. Petitioner seeks compromise quashing of an FIR No.133/2023 dated 20.01.2023 registered under Sections 279 and 338 of the IPC, at Police Station Shastri Park, Delhi and all subsequent proceedings arising therefrom.
2. Per FIR, on 20.01.2023, the victim, Mohd. Zaid/Respondent no. 2 was driving an E-rickshaw when his vehicle was hit by a car driven by the accused, Manish Jain. As a result of the collision, complainant Mohd. Zaid sustained injuries.
3. The learned counsel for the petitioner submits that the parties have amicably resolved their differences and executed a Compromise Deed-cum-MOU dated 04.08.2025 and in light of the same, seeks quashing of the FIR.
- 3.1 He further contends that once Respondent No. 2 has voluntarily and harmoniously settled all grievances, disputes, and differences with the Petitioner, continuation of criminal proceedings serves no legal or practical purpose. On the contrary, it will only cause undue mental agony and suffering to the Petitioner as well as respondent no.2.



4. Learned Counsel appearing on behalf of the complainant/Respondent No. 2 unequivocally submits that in view of the compromise, he has no objection to quashing of the FIR in question. The learned APP also does not dispute the veracity of the compromise.
5. In the aforesaid backdrop, after hearing the parties and perusing the record, the following position emerges.
6. Parties are present in Court and I have interacted with them. On a query, respondent no. 2/victim candidly states that compromise has been entered into voluntarily by him, without coercion or undue influence. He further states that he does not wish to press any charges against the petitioner as it was a sheer accident as an act of God and not a case of any crime.
7. Having heard, I am of the view that since the prosecution case rests solely on the statements of the Petitioner and Respondent No. 2, no possibility of conviction survives. Continuation of proceedings would thus only subject the Petitioner to harassment and waste the Court's time. The compromise has been entered into voluntarily, without coercion or undue influence. Allowing the prosecution to linger in such circumstances would amount to abuse of process. Continuation of such proceedings will merely squander the valuable time and energy of the Learned Trial Court.
8. The chances of a successful trial are extremely bleak as the entire prosecution case rests exclusively upon the testimonies of the Petitioner and Respondent No. 2, who have now resolved their disputes. Respondent No. 2 has voluntarily decided not to pursue the criminal proceedings against the Petitioner.
9. Continuation of the proceedings in the present peculiar circumstances



would constitute a clear misuse and abuse of the process of law. The principles of natural justice, equity, good conscience, and fair play demand that the said proceedings be quashed to secure the ends of justice and prevent such abuse.

10. This Court, in appropriate cases, is empowered to exercise its jurisdiction under Section 528 of BNSS to quash an FIR on the basis of compromise and the factual circumstances of the case. In this regard, reference may be had to ***Gian Singh vs. State of Punjab & Anr.***, [(2012) 10 SCC 303].

11. Accordingly, the petition is allowed. The FIR No.133/2023 dated 20.01.2023 registered under Sections 279 and 338 of the IPC, at Police Station Shastri Park, Delhi is quashed.

12. However, in the parting it is clarified that quashing of FIR shall not, in any manner, reflect on the merits of the pending proceedings before the MACT, if any, and the victim shall be at liberty to pursue his remedies in accordance with law.

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

ARUN MONGA, J

SEPTEMBER 15, 2025

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