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

+ **CRL.M.C. 6972/2025 & CRL.M.A. 29268/2025**

SIROJ KUSHWAHA & ORS.

.....Petitioners

Through: Mr. Sanskar Vats, Adv. along with
petitioners

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Raghuinder Verma, APP for State
with Mr. Aditya Vikram Singh, Adv.

SI Komal, PS Aman Vihar

Mr. Nikhil Rastogi, Mr. Vinod Kumar Mangal,
Mr. Parvinder Singh, Mr. Kunal Yadav and Ms.
Nipurna, Adv. for R-2 along with R-2

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

26.09.2025

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1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") has been filed by the petitioners praying for quashing of FIR No. 368/2018 registered at Police Station Aman Vihar, on 30.04.2018, for offences punishable under Sections 323/354/354B/34 of the Indian Penal Code, 1860 (hereinafter "IPC").

2. The brief facts of the case are that petitioner no. 1 and petitioner no. 2, were working as laborers in the neighborhood where respondent no. 2, was residing with her family. In April 2017, petitioner no. 1 had borrowed a sum of Rs. 26,000/- from respondent no. 2 on interest, which he initially repaid but later defaulted for about two months. On 23.03.2018, at around 10 AM,



respondent no. 2 went to the premises where the petitioners were working to demand her dues, and an altercation ensued. It is alleged that petitioner no. 1 misbehaved with respondent no. 2, assaulted her with wrongful intent and when she raised alarm, her husband and brother came to rescue but were also beaten by both petitioners.

3. Learned counsel appearing on behalf of the petitioners has submitted that the chargesheet has already been filed against the petitioners. It is submitted that the petitioners and respondent no. 2 have settled their disputes amicably and are now moving forward towards a peaceful and harmonious future.

4. Memorandum of Understanding (hereinafter “MoU”) dated 07.09.2025 is on record and has been annexed as ‘Annexure C’. *Qua* this MoU, respondent no. 2 has agreed to withdraw the case arising out of FIR No. 368/2018 registered at Police Station Aman Vihar against the petitioners.

5. It is prayed by the learned counsel appearing on behalf of the parties that the instant FIR may be quashed on the basis of the compromise.

6. Learned APP for the State, who appears on advance notice, accepts notice and submits that there is no opposition to the prayer made by the petitioners seeking quashing of the FIR in question in view of the settlement arrived at between the parties.

7. Heard learned counsel for the parties and perused the record.

8. The petitioners are present before this Court and have been identified by their counsel and Investigating Officer, Police Station Aman Vihar. Respondent no. 2 is also present in the Court and has been identified by her counsel and the Investigating Officer.



9. On a query made by this Court, respondent no. 2 has categorically stated that she has entered into compromise on her own free will and without any pressure. It is also stated by her that the entire dispute has been amicably settled between the parties.

10. Keeping in view the fact that the matter stands amicably settled between the petitioners and respondent no. 2 without any pressure, no fruitful purpose would be served by keeping the matter pending.

11. In view of the fact that the parties have arrived at a settlement and further having regard to the fact that the injury suffered by the complainant/respondent no. 2 is simple in nature, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them.

12. It is, thus, in the interest of justice to quash the afore-mentioned FIR and the proceedings emanating therefrom.

13. Hence, in light of the judgment of the Hon'ble Supreme Court passed in ***Gian Singh v. State of Punjab* (2012) 10 SCC 303**, FIR No. 368/2018 registered at Police Station Aman Vihar, for the offences punishable under Sections 323/354/354B/34 of the IPC, and consequent proceedings emanating therefrom, are quashed *qua* the present petitioners.

14. The petition alongwith pending application(s), if any, stands disposed of.

AJAY DIGPAUL, J

SEPTEMBER 26, 2025/ar/yr