



\$~74

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 7128/2025**
AJAY KUMAR & ANR.

.....Petitioner

Through: Mr. Amit Baghel, Advocate along
with Adv Gulshan Kumar, Advocate.

versus

THE STATE NCT OF DELHI AND ANR

.....Respondent

Through: Mr. Shoaib Haider, APP for the State
with SI Ridhima P.S. Model Town.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **09.10.2025**

CRL.M.A. 29958/2025 (under Section 528 of the *Bhartiya Nagrik Suraksha Sanhita, 2023* on behalf of the Petitioners seeking Condonation of Delay)

1. An Application has been filed on behalf of the Petitioners seeking Condonation of Delay of 35 days in re-filing the Petition.
2. In view of the reasons stated in the Application, the same is allowed.
3. The Application stands disposed of.

CRL.M.A. 29957/2025 (Seeking Exemption)

4. Allowed, subject to just exemptions.
5. The Application stands disposed of.

CRL.M.C. 7128/2025

6. A Petition under Section 528 of the *Bhartiya Nagrik Suraksha Sanhita, 2023* has been filed on behalf of the Petitioners seeking quashing of FIR No.431/2010 under Section 326/341/34 IPC dated 16.11.2010 registered at Police Station Model Town, Delhi in terms of the Settlement dated 29.01.2025.



7. The FIR was registered in the year 2010 in which the Chargesheet has been filed in 2020 and till date not a single Prosecution Witness has been examined. The Complainant has filed his No Objection Affidavit and has affirmed that this Settlement dated 29.01.2025 has been arrived between him and the Petitioners voluntarily without any force, fear or coercion.

8. It is submitted that the Petitioners had parked their motorcycle outside the shop of Respondent No.2 who had taken objection on which the Petitioners had inflicted injuries with a sword like weapon causing fracture which got healed within a period of one and a half years. The Complainant submits that the Petitioners are people of little means and are working as driver/rehri vendors and that considering the antiquity of the present FIR and the nature of injuries suffered by the Complainant, all the parties submits that they have entered into Settlement dated 29.01.2025 voluntarily. All the parties endorse the terms of the Settlement dated 29.01.2025 and undertake that they shall abide by the terms of the Settlement.

9. The parties are present before this Court in-person today, and have been identified by their counsel and Investigating Officer concerned.

10. In view of the submissions made, the Petition is allowed. Accordingly, the FIR bearing No. 431/2010 registered at Police Station Model Town, for offences punishable under Sections 324/341/34 of the Indian Penal Code, 1860 with all the subsequent proceedings and the charge sheet is hereby quashed qua all the Petitioners.

11. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

OCTOBER 9, 2025/va