



2025:DHC:10884



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 04.12.2025

+ CRL. MC. 8714/2024 & & CRL.M.A. 33345/2024 STAY,
CRL.M.A. 33346/2024 EXEMPTION FROM FILING
CERTIFIED COPIES ETC., CRL.M.A. 33347/2024
EXEMPTION FROM FILING FAIR TYPED COPY ETC.

RAJNISH KUMAR

.....Petitioner

Through: Mr. Dilip Kumar Dube, Adv.
with petitioner in person.

versus

STATE OF NCT DELHI THROUGH SHO & ANR.

.....Respondents

Through: Ms. Manjeet Arya, APP with SI
Sachin Rathee.
Mr. Shankar Kant Nirala, Adv.
with R-2 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. 280/2017, dated 16.04.2017, registered at P.S Mukherjee Nagar, Delhi under Sections 354/323/341/506/509 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. The factual matrix giving rise to the instant case is that on 15.04.2017, the petitioner physically assaulted and molested



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respondent no.2 near her PG accommodation, causing injuries to her. FIR No. 280/2017 was lodged at the instance of respondent no. 2 under Sections 354/323/341/506/509 IPC against the petitioner.

3. During the course of proceedings, the parties amicably resolved their disputes and the terms of settlement were written in the form of a Memorandum of Understanding dated 19.10.2024. It is submitted that the petitioners and the respondent no.2 have unconditionally settled their disputes as per the schedule in the settlement. Copy of the Settlement Agreement dated 19.10.2024 has been annexed as Annexure P-2.

4. Parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Sachin Rathee, from PS Mukherjee Nagar.

5. Respondent No. 2 confirms that the matter has been amicably settled with the petitioner without any force, fear, coercion and respondent no.2 has no objection if the FIR No. 280/2017 is quashed against the Petitioner.

6. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 280/2017 is quashed.

7. 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."

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

9. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion, it would be in the interest of justice, to quash the abovementioned FIR and the proceedings pursuant thereto.

10. In the interest of justice, the petition is allowed, and the FIR No. 280/2017, dated 16.04.2017, registered at P.S Mukherjee Nagar, Delhi under Sections 354/323/341/506/509 IPC and all the other consequential proceeding emanating therefrom is hereby quashed subject to petitioner depositing a cost of Rs. 10,000/- (Rupees Ten Thousand only) with DHCBA Cost Account, bearing account no.



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15530110179338, maintained with UCO Bank, within a period of one month.

11. Petition is allowed and disposed of accordingly.

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

RAVINDER DUDEJA, J

DECEMBER 4, 2025
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