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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 7208/2025**
SHAMSUDDIN HABIB

.....Petitioner
Through: Mr. Anil Kumar Sharma, Adv.

versus

THE STATE (NCT OF DELHI) & ORS.

.....Respondents
Through: Mr. Digam Singh Dagar, APP for the
State
Respondent no. 2 & 3 are in person.

CORAM:
HON'BLE MR. JUSTICE ARUN MONGA

% **ORDER**
10.10.2025

1. Petitioner seeks compromise quashing of an FIR No.463/2021 dated 26.05.2021 registered under Sections 279 and 337 of the IPC, at Police Station Binda Pur and all subsequent proceedings arising therefrom.
2. Per FIR, on 26.05.2021, respondent no. 2 was returning home from work with her brother Kamlesh Kumar, respondent no. 3, on a motorcycle. When they reached near metro pillar No. 736, Uttam Nagar–Najafgarh Road, the petitioner riding a motor bike came from the wrong side and hit their motorcycle. They both fell down and sustained injuries.
3. The learned counsel for the petitioner submits that the parties have amicably resolved their differences on no fault principle. They have also



executed a Settlement Agreement dated 24.09.2025 and in light of the same, seeks quashing of the FIR.

3.1 He further contends that once respondent no. 2 and respondent no. 3 have voluntarily and harmoniously settled all grievances, disputes, and differences with the petitioner, continuation of criminal proceedings arising from the FIR would serve no legal or practical purpose. On the contrary, it will only cause undue mental agony and suffering to the petitioner as well as respondents.

4. In the aforesaid backdrop, I have heard the learned counsels for the parties and perused the record.

5. The respondents no.2 and 3 both are present in Court today in person along with the petitioner. Both the respondents submit that in view of the compromise, they have no objection to quashing of the FIR in question.

6. The learned APP also does not dispute the veracity of the compromise.

7. On a query, the respondents/victims candidly state that the Settlement Agreement dated 24.09.2025 has been entered into voluntarily by them, without any force, coercion or undue influence. They also admit that as per the terms of the compromise, they have received Rs. 20,000/- each from the petitioner in the Court today. This amount of Rs.20,000/- each was, as per the terms of the compromise, was to be given to respondents no. 2 & 3 at the time of quashing of FIR. They further state that they do not wish to press any charges against the petitioner as it was a sheer unavoidable inadvertence and not a case of any crime indicating any *mala fide* on the part of the petitioner.

8. Having heard, I am of the view that since the prosecution case rests



solely on the statements of the petitioner and the respondents no. 2 & 3, 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.

9. The chances of a successful trial are thus extremely bleak as the entire prosecution case rests exclusively upon the testimonies of the petitioner and the respondents who have now resolved their disputes. The respondents have voluntarily decided not to pursue the criminal proceedings against the petitioner.

10. 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.

11. 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.***

12. Accordingly, the petition is allowed. FIR No.463/2021 dated 26.05.2021 registered under Sections 279 and 337 of the IPC, at Police Station Binda Pur and all proceedings emanating therefrom are hereby quashed.

13. 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.

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

ARUN MONGA, J

OCTOBER 10, 2025

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