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

+ **CRL.M.C. 7227/2025**

BHAGWAT DAYAL & ANR.

.....Petitioners

Through: Mr. Rajesh Kabir and Mr. Ripeen,
Advs.

Petitioners in person.

versus

THE STATE (N.C.T. OF DELHI) & ORS.

.....Respondents

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

SI Sachin

Mr. Aashish K. Singh and Ms. Chitrakshi VEDI,
Adv.

Respondents in person.

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

13.10.2025

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1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") [earlier Section 482 of the Code of Criminal Procedure, 1973 (hereinafter "CrPC")] has been filed by the petitioners praying for quashing of FIR No. 595/2018 registered at Police Station – Shakarpur for the offences punishable under Sections 354/506/509 of the Indian Penal Code, 1860 (hereinafter "IPC").

2. The brief facts of the case are that respondent nos. 2 and 3 were assaulted by petitioners, who are their ground-floor neighbours on 02.12.2018 when respondents had gone to the said flat for whitewashing. On reaching the spot, respondent no. 2 was also abused in filthy language and



pushed by petitioner no. 1, causing her to fall. Pursuant thereto, the FIR was registered.

3. Learned counsel appearing on behalf of the petitioners submitted that chargesheet has already been filed against the petitioners. It is submitted that the petitioners and respondent nos. 2 & 3 have settled their disputes amicably and are now moving forward towards a peaceful and harmonious future.

4. Memorandum of Understanding (hereinafter “MoU”) dated 18.08.2025 is on record and has been annexed as Annexure P-3. *Qua* this MoU, the respondents no. 2 & 3 have agreed to withdraw the case arising out of FIR No. 595/2018 registered at Police Station – Shakarpur 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 MoU.

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.

9. Respondents no. 2 & 3 are also present in the Court and have been identified by their counsel and the Investigating Officer.

10. On a query made by this Court, respondents no. 2 & 3 have categorically stated that they have entered into compromise on their own



free will and without any pressure. It is also stated by them that the entire dispute has been amicably settled between the parties.

11. Keeping in view the fact that the matter stands amicably been settled between the petitioners and respondent nos. 2 & 3 amicably without any pressure, no fruitful purpose would be served by keeping the matter pending.

12. 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 brother of the respondent nos. 2 & 3 are simple in nature, no useful purpose will be served in continuing the proceedings. This Court is conscious that ordinarily, it is not inclined to entertain petitions of this nature where the alleged offences are of a grave kind. However, since respondent no. 2 has voluntarily and of her own free will expressed her desire to put the matter behind her and move on with her life, this Court is persuaded to take this view.

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

14. 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. 595/2018 registered at Police Station – Shakarpur, for offences punishable under Sections 354/506/509 of the IPC, and consequent proceedings emanating therefrom, are quashed *qua* the present petitioners, subject to the petitioners performing community service starting from 01.11.2025, with the following directions:

- i. Petitioner no. 1 to perform one month of community service on every Saturday and Sunday at Tihar Jail, Near Lajwanti Garden Chowk, Janak Puri, New Delhi.
- ii. Petitioner no. 2 to perform one month of community service on every



Wednesday and Thursday at Lal Bahadur Shastri Hospital, Indra Camp, Khichripur Near Kalyanvas Colony/Mayur Vihar, New Delhi, Delhi-110091.

Upon completion of the said period, a certificate confirming the completion of community service shall be issued by the Jail Superintendent, Tihar Jail, and filed before the Registry in respect of petitioner no. 1. Likewise, upon completion of the said period, a certificate confirming the completion of community service shall be issued by the Medical Superintendent of the concerned hospital and filed before the Registry in respect of petitioner no. 2. In the event of any absenteeism, default, or misconduct on the part of the petitioners during the course of the community service, the same be immediately reported by the concerned Jail Superintendent or Medical Superintendent to the concerned SHO, who shall, in turn, inform the APP for placing the matter before this Court and seeking appropriate orders, including revival of the FIR

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

AJAY DIGPAUL, J

OCTOBER 13, 2025/AS/yr