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

+ **CRL.M.C. 7668/2025 & CRL.M.A. 32074/2025**

MUKESH KUMAR DWIVEDI

.....Petitioner

Through: Mr. Anand Kumar and Mr. Pankaj
Aggarwal, Adv. with the petitioner in person
versus

STATE NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Raghuinder Verma, APP for State
with Mr. Aditya Vikram Singh, Adv. along with SI
Seema, PS Prashant Vihar and SI Neeraj
Mr. Narender Singh, Adv. for R-2 & 3 with R-2 &
3 in person

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

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31.10.2025

1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") has been filed by the petitioner praying for quashing of FIR No. 30/2017 registered at Police Station Prashant Vihar, for the offences punishable under Sections 354/354A/509/34 of the Indian Penal Code, 1860 (hereinafter "IPC").
2. The brief facts of the case are that petitioners alleged that when they went to the house of one Madhu Dwivedi to collect Rs. 50,000/-, Madhu and her husband, the petitioner herein misbehaved with them. It is stated that the petitioner, who was under the influence of alcohol, assaulted and molested them by touching respondents inappropriately, used abusive and filthy language, and physically pushed both respondent nos. 2 and 3 out of the house, leading to the registration of the present FIR.
3. Learned counsel appearing on behalf of the petitioner has submitted that the petitioner and respondent no. 2 and 3 have settled their disputes



amicably and are now moving forward towards a peaceful and harmonious future.

4. Settlement deed dated 19.09.2025 is on record and has been annexed as Annexure P-4. *Qua* this deed, the respondents no. 2 and 3 have agreed to withdraw the case arising out of FIR No. 30/2017 registered at Police Station Prashant Vihar against the petitioner.

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 petitioner 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 petitioner is present before this Court and has been identified by their counsel and Investigating Officer, Police Station Prashant Vihar. Respondents no. 2 and 3 are also present in the Court and has been identified by their counsel and the Investigating Officer.

9. On a query made by this Court, respondents no. 2 and 3 have categorically stated that they have entered into compromise on their own free will and without any pressure and have expressed their desire to forgive, and not to pursue the matter further. It is also stated by them that the entire dispute has been amicably settled between the parties.

10. They further submit that they do not wish to pursue the present proceedings any further and seek to put a quietus to the same, as they intend to move forward in their lives.

11. It is, thus, in the interest of justice to quash the afore-mentioned FIR



and the proceedings emanating therefrom.

12. This Court has carefully examined the record and the nature of allegations made in the FIR. Having regard to the fact that the State machinery was set in motion, investigation was carried out, and the chargesheet came to be filed, thereby engaging valuable public resources, this Court observes that the dispute arose out of a monetary transaction between the parties, wherein respondent nos. 2 and 3 had gone to the petitioner's residence to recover certain dues, and in the course of such interaction, an altercation ensued leading to the lodging of the present complaint. The material on record and the subsequent conduct of the parties indicate that the allegations do not appear to have been made with complete *bona fides*. Respondent nos. 2 and 3 have expressed remorse for the continuation of the proceedings and have voluntarily sought closure of the matter. Accordingly, while this Court finds it appropriate to quash the proceedings in the interest of justice and to enable the parties to move forward in life, it is also deemed just and proper to direct respondent Nos. 2 and 3 to perform community service, as a measure of restitution for the time and resources of the State and the judicial system that were set in motion.

13. Hence, in light of the judgment of the Hon'ble Supreme Court passed in ***Gian Singh vs. State of Punjab* (2012) 10 SCC 303**, FIR No. 30/2017 registered at Police Station Prashant Vihar, for the offences punishable under Sections 354/354A/509/34 of the IPC and consequent proceedings emanating therefrom, are quashed *qua* the present petitioner, subject to the following direction:

- i. The petitioner shall deposit a sum of Rs. 25,000 with the CDCBA Members Welfare Fund, Account bearing No. 33640110020388



(IFSC Code: UCBA0003364) maintained with the UCO Bank, Rouse Avenue Court Complex, New Delhi within a period of two weeks from today.

- ii. Respondent nos. 2 and 3 are directed to perform community service at Dr. Baba Saheb Ambedkar Hospital, Sector-6, Rohini for a period of four weeks, on every Saturday and Sunday, commencing from 08.11.2025, to the satisfaction of the Medical Superintendent of the concerned hospital, who shall file a compliance report with the Registry.
 - iii. In the event of any absenteeism, default, or misconduct on the part of respondent nos. 2 and 3 during the course of the community service, the same be immediately reported by the Medical Superintendent to the concerned SHO, who shall, in turn, inform the APP for placing the matter before this Court and seeking appropriate orders.
14. With the above directions, the petition along with pending application(s), if any, stands disposed of subject to fulfilment of the aforementioned directions.
15. Copy of the order be sent to the Medical Superintendent of concerned Hospital and the Trial Court for necessary information and compliance.

AJAY DIGPAUL, J

OCTOBER 31, 2025

Sk/dd