



2025:DHC:10457



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

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Date of decision: 26.11.2025

**+ CRL. MC. 8411/2025 & CRL.M.A. 35090/2025 EXEMPTION
ABHISHEKPetitioner****Through: Ms. Kajal Kaur, Mr. Ankit, Ms.
Himani Mittal, Advocates with
Petitioner in person.****versus****THE STATE OF NCT OF DELHI AND ORS ... Respondents****Through: Mr. Nawal Kishore Jha, APP
with SI Sonal Raj, PS- Bharat
Nagar.
Respondents in person.****CORAM:-****HON'BLE MR. JUSTICE RAVINDER DUDEJA****JUDGMENT(ORAL)****RAVINDER DUDEJA, J.**

This matter is taken up today as 25.11.2025 was declared a holiday on account of 'Guru Teg Bahadur's Martyrdom Day'.

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of FIR No. 467/2022, dated 30.06.2022, registered at P.S Bharat Nagar, Delhi under Sections 354/506/509 IPC and 12 POCSO Act 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 29.06.2022 when the minor victim/respondent No.2 was sitting outside her house with her family the accused/Petitioner came and spat gutkha on her, caught her hand, pulled her towards him with sexual intent and uttered obscene words. The petitioner also threatened to disfigure her face with a blade and then left when family members arrived. The next morning, when the incident was disclosed, the family went to his house, where he abused them, threatened to get the victim arrested. An FIR No. 490/24 under Sections 354/506/509 IPC and 12 POCSO Act at PS Bharat Nagar was registered on the instance of respondent no.2. Subsequently Chargesheet was filed.

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/ Compromise Deed dated 11.11.2025. Copy of the Settlement Agreement dated 11.11.2025 has been annexed as Annexure P-3.

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

5. Respondents submit that there was some minor disagreement and a scuffle ensued between them at the spur of the moment over a petty issue of parking, which resulted in lodging of present FIR. They confirm that matter has now been amicable settled with the petitioner



without force, fear and coercion and respondents have no objection if FIR No. 467/2022 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. 467/2022 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



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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. Hence, 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. 467/2022, dated 30.06.2022, registered at P.S Bharat Nagar, Delhi under Sections 354/506/509 IPC and 12 POCSO Act and all the other consequential proceeding emanating therefrom is hereby quashed. Since charge sheet has been filed and charges are also framed, State machinery is used, therefore, quashing is subject to petitioner depositing Rs. 5,000/- with Delhi High Court Staff Welfare Fund (Account No. 15530110074442), 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

November 26, 2025

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