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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 2338/2025 and Crl.M.A. No. 10538/2025

ASHA & ORS.

.....Petitioners

Through: Mr.Ajeet Kumar Yadav, Advocate

versus

THE STATE & ANR.

.....Respondents

Through: Mr.Digamber Singh Dagar, APP with
SI Urvashi, PS Anand Parbat
Mr.Prithvi Raj Chauhan, Advocate
for Complainant.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

% **21.08.2025**

1. Petitioners herein seek the quashing of FIR No. 211/2018 dated 24.07.2018 under Sections 308/34 of the IPC registered at police Station Anand Parbat, along with all the proceedings arising therefrom, on the basis of the settlement between the parties.
2. Complainant alleged that Petitioner no.1 verbally abused him by using filthy language, and others joined in taunting him. It was also alleged that the petitioners assaulted him, with the knowledge that their actions could cause his death.
3. In the aforesaid backdrop, I have heard learned counsel for the Petitioners and Respondent No.2, as well as, perused the material available on record.
4. Learned counsel for the petitioner submits that the parties, have amicably settled the dispute *vide* settlement deed dated 27.04.2023, which is



placed on record (**Annexure-P-4**). He further submits that an affidavit of no objection to the quashing, deposited by respondent no. 2, has also been placed on record. It is further submitted that the terms of the said settlement have been complied with.

5. Learned APP opposes the quashing petition stating that any indulgence from this Court would give wrong signal to the society at large.

6. Parties are present in person in Court and have been duly identified by their respective counsel and the concerned Investigating Officer. On a query put to the complainant, he submits that minor injuries resulted from a cross-fight between both parties following a heated altercation, which led to the unsavoury incident. He further submits that although he did suffer injuries at the relevant time, they were later found to be minor in nature. He expresses regret for having invoked Section 308 of the IPC, now acknowledging that the ingredients of the said offence are not made out. In light of the settlement, he no longer wishes to pursue charges against the petitioners and would prefer to live amicably with them, maintaining the cordiality and goodwill arising from the settlement.

7. Since the complainant does not wish to press charges against the petitioner and there is no incriminating material against him, the chances of conviction are almost negligible. Further criminal proceedings before the court and continuation of the trial would be an abuse of the process of law, especially where the parties have amicably settled their dispute which does not involve any public interest or interest of the society at large. It will be an exercise in futility and wasteful expense of public exchequer.

8. In such circumstances, continuation of proceedings may rather result in hostility between the parties and defeat the very purpose of such



settlement.

9. Thus, in the premise, in the larger interest of justice, invoking inherent powers vested with this Court under Section 528 of the BNSS, it is deemed expedient to quash the FIR no. 0687/2022. Reference in this context may also be had to judgment rendered in the case of ***Gian Singh v. State of Punjab & Anr. [(2012) 10 SCC 303]***.

10. Consequently, the instant petition is allowed. FIR No. 211/2018 dated 24.07.2018 under Sections 308/34 of the IPC registered at police Station Anand Parbat, Delhi and the criminal proceedings arising there from are hereby quashed.

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

ARUN MONGA, J

AUGUST 21, 2025/SV