



2025:DHC:11662



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 20.12.2025

+ CRL.M.C. 8513/2025

MAXWELL SINGH

.....Petitioner

Through: Mr. Kunal Madan, Mr. Shyam Babu, Mr. Isha Ahuja, Mr. Mohit Gulati, Mr. Raj Kumar, Mr. Piyush Jain and Mr. Rahul Matharu, Advs.
Petitioner in person.

versus

THE STATE OF NCT OF DELHI AND ANRRespondents

Through: Mr. Sanjeev Sabharwal, APP with SI Naveen, and SI Laxman.
R-2 in person.

CORAM:-**HON'BLE MR. JUSTICE RAVINDER DUDEJA****JUDGMENT(ORAL)****RAVINDER DUDEJA, J.**

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of FIR No. 304/2021, dated 07.09.2021, registered at P.S Inder Puri, Delhi under Sections 279/304A IPC and all proceedings emanating therefrom on the basis of settlement between the parties.



2. As per allegations, on 06.09.2021 at about 10:15 pm, while driving car no. DL1CV0685 at a fast speed and in rash and negligent manner, petitioner struck the car against scooty no. DL6SAL6431, thereby causing death of driver of the scooty, namely Chetan Prakash and injuries to Shreya Sharma, Soni, and Arpan who were also riding in the car. Accused was arrested and chargesheet under sections 279/304A/338 IPC & Section 146/149 of Motor Vehicle Act was filed against the petitioner.

3. It is submitted that both parties have come to an amicable settlement. The first settlement was arrived at Delhi Mediation Centre, Patiala House Courts on 03.09.2025 which was executed between the wife of the deceased and the petitioner. Since the other legal heirs of the deceased victim and other injured persons were not party to such settlement, another Memorandum of Understanding (MOU) dated 19.12.2025 was executed between the petitioner and the legal representatives of the deceased victim and the other injured persons. It is submitted that petitioner has paid the total settlement amount of Rs. 21,00,000/- (Rupees Twenty One Lacs Only) as compensation to respondent no.2 in terms of the settlement. The copies of settlement dated 03.09.2025 and MOU dated 19.12.2025 are part of the digital record.



4. Parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Naveen, and SI Laxman from PS Inderpuri.

5. Respondents no. 2 to 7 confirm that the matter has been amicably settled with the petitioner without any force, fear, coercion. Respondent nos. 2 to 4 confirm that they have received the entire settlement amount while respondents no. 5 to 7 state that the petitioner has borne the expenditure of their treatment and therefore they have no objection if the FIR No. 304/2021 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. 304/2021 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 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. While it is true that the offence under Section 279 of IPC is not an offence in personam, thereby that it affects society at large and not just the individual complainant, the Court must also take into account the practical realities of securing a conviction in the present case. The Supreme Court has consistently held that where the chances of conviction are remote due to an amicable settlement between the parties, the Court should consider whether continuing the prosecution would serve any meaningful purpose.

10. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion, it would be in the interest of justice, to quash the abovementioned FIR and the proceedings pursuant thereto.



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11. The petition is allowed, and the FIR No. 304/2021, dated 07.09.2021, registered at P.S Inder Puri, Delhi under section 279/304AIPC and all the other consequential proceeding emanating therefrom is hereby quashed.

12. Petition is allowed and disposed of accordingly.

13. Pending application(s), if any, also stand disposed of.

RAVINDER DUDEJA, J

December 20, 2025
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