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

+ **W.P.(CRL) 147/2025**

NABEEL BHATI

.....Petitioner

Through: Mr. Nagendra Kasana and Mr. Lovenet Bhati, Advocates with petitioner in person.

versus

STATE GOVT. OF NCT OF DELHI AND ANRRespondent

Through: Mr. Amol Sinha, ASC with Mr. Kshitiz Garg, Mr. Ashvini Kumar and Mr. Rahul Kochar, Advocates with the Investigating Officer.
Mr. Vishal Khari, Advocate for respondent No.2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

10.02.2025

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CRL.M.A. 1214/2025 (Exemption).

1. Exemption allowed subject to just exceptions.
2. The application stands disposed of.

CRL.M.C. 147/2025

3. 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 "Cr.P.C."))] has been filed on behalf of the petitioners praying for quashing of FIR bearing No.366/2023 registered at Police Station – Shaheen Bagh, Delhi for offences punishable under Sections 307/308 of the Indian Penal Code, 1860 (hereinafter "IPC").



4. The Joint Registrar (Judicial) *vide* order dated 16th January, 2025 has verified the facts and details of the instant matter.

5. Learned counsel for the petitioner submitted that on account of certain misunderstanding between the petitioner and the respondent no.2, a complaint was lodged against the petitioner by the respondent no.2, which resulted in filing of the instant FIR dated 19th October, 2023.

6. It is further submitted that with the intervention of family members and relatives, both the parties entered into settlement on 12th December, 2024 *vide* Memorandum of Understanding (“MoU” hereinafter). The terms and conditions of the said settlement are mentioned in the settlement deed which is annexed as Annexure P-3 to the instant petition.

7. Therefore, it is prayed that the instant FIR may be quashed on the basis of the above said MoU and in accordance with the settled position of law as posited by the Hon’ble Supreme Court. At this juncture, the petitioner appearing in-person also undertakes to not repeat the same conduct in the future.

8. Mr. Amol Sinha, learned ASC for the State submitted that he has no objection to the instant petition being allowed and the FIR in question being quashed in view of the settlement arrived at between the parties.

9. Heard learned counsel for the parties and perused the record.

10. The petitioner is present before this Court and has been identified by his counsel and the Investigating Officer. The respondent nos.2 is also present in the Court and has been identified by the Investigating Officer.

11. On the query made by this Court, the respondent nos.2 has categorically stated that he has entered into compromise on his own free will and without any pressure. It is also stated by respondent nos.2 that the



entire dispute has been amicably settled between the parties and he does not want to pursue the aforesaid FIR any further. The parties also undertook that they shall abide by the terms and conditions of the Settlement Agreement arrived at between the parties.

12. In the case of ***Ramgopal and Ors. Vs. The State of Madhya Pradesh, 2021 INSC 568***, that the extraordinary power enjoined upon the High Courts under Section 482 of Cr.P.C. can be invoked even when such a case falls within the ambit of non-compoundable offences given that the Court must be satisfied that the nature of the offence does not impact the conscience of the society and that the compromise between the parties is voluntary and amicable.

13. Keeping in view the fact that parties have settled the matter as well as undertaking given by the petitioner, no useful purpose would be served by keeping the matter pending. Hence, FIR bearing No.366/2023 registered at Police Station – Shaheen Bagh, Delhi for offences punishable under Sections 307/308 of the IPC and consequent proceedings emanating therefrom are quashed.

14. The petition along with pending application(s), if any, stands disposed of.

CHANDRA DHARI SINGH, J

FEBRUARY 10, 2025

NA/anr

Click here to check corrigendum, if any