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

+ **CRL.M.C. 553/2025**

HARISH KAUSHIK AND ORS.

.....Petitioners

Through: Mr. B.H. Gaur and Mr. Mandeep
Kumar, Advocates.

versus

STATE OF NCT OF DELHI AND ORS.

.....Respondents

Through: Ms. Richa Dhawan, APP for State
with ASI Sunita, PS-Alipur.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

19.11.2025

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CRL.M.A. 2647/2025

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C. 553/2025

3. The present petition has been filed under Section 528 of BNSS, 2023 seeking quashing of FIR No.684/2024 under Section 76/ 115(2)/ 126(2)/ 333/3(5) of BNS, 2023 registered at Police Station Alipur and all consequential proceedings emanating therefrom, on the ground that the parties have arrived at a settlement.
4. Issue notice. Mr. Richa Dhawan, learned APP for the State accepts notice.
5. The petitioners as well as respondent no. 3 are present in Court. They



have been identified by the counsel for petitioners as well as by the Investigating Officer ASI Sunita, PS-Alipur.

6. The case of the prosecution as articulated in the present petition is that the parties were celebrating Diwali, and on account of burning of crackers by the children, dispute arose, which led to the registration of present FIR at the instance of respondent no.3 (complainant). The dispute also led to the registration of cross FIR No.685/2024 under Section 76/ 115(2)/ 126(2)/ 333/3(5) of BNS, 2023 registered at Police Station Alipur at the instance of Harish Kaushik.

7. During pendency of the proceedings, the parties have resolved all their disputes amicably without any coercion or pressure and arrived at a settlement, the terms whereof have been reduced in writing in the Memorandum of Settlement dated 10.11.2024, which is annexed at Annexure-P-3.

8. On being queried by the Court, respondent no.3/complainant states that she has settled the matter with the petitioners and does not wish to prosecute the criminal proceedings any further. Therefore, she has no objection, in case the FIR in question is quashed.

9. In view of the fact that petitioners as well as respondent no. 3 have amicably settled their disputes and regard being had to the statement made by complainant, this Court is of the view that no useful purpose will be served in continuation of criminal proceedings and it will be an exercise in futility.

10. At this stage, apt would it be to refer to the observations of the Supreme Court in *Gian Singh v. State of Punjab*, (2012) 10 SCC 303: (SCC p. 340, para 58)



“58. Where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor.”

11. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.
12. Consequently, the petition is allowed and the FIR No.684/2024 under Section 76/ 115(2)/ 126(2)/ 333/3(5) of BNS, 2023 registered at Police Station Alipur alongwith all other proceedings emanating therefrom, is quashed.
13. The petition along with pending application stands disposed of in the above terms.
14. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

NOVEMBER 19, 2025/jg