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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 9070/2025 & CRL.M.A. 37973/2025**
ABDUL SAHID & ANR.Petitioners

Through: Mr. Mahesh Kr. Patel and Mr. Omkar
Sharma, Advocates with Petitioners
(in-Person).

versus

THE STATE NCT OF DELHI AND ORSRespondents
Through: Mr. Digam Singh Dagar, APP for
State.
SI Mukesh Kumar, P.S. Khyala.
Respondents No. 2 & 3, (in-Persons).

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
19.12.2025

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1. This petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (corresponding to Section 482 of the Code of Criminal Procedure, 1973²) seeks quashing of FIR No. 361/2021 dated 18th April, 2021, registered under Sections 323 and 509 of the Indian Penal Code, 1860³ and Sections 3(1)(r), 3(1)(s), 3(1)(w)(i) and 3(1)(w)(ii) of Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989⁴ at P.S. Khyala, and all consequential proceedings emanating therefrom.
2. The prosecution case emanates from a complaint filed by Respondent No. 2, wherein it is alleged that owing to prior complaints made by him

¹ "BNSS"

² "CrPC"

³ "IPC"



against Petitioner No. 1, Shahid, and his associates, the Petitioners bore animosity towards him and repeatedly harassed, assaulted, and threatened Respondent No. 2 and his family. On the night of 29th March, 2019, at about 10:00 PM, the Petitioners assaulted Respondent No.2, abused him by addressing him by his caste name, and defamed him in the locality. Around 1st-2nd April, 2019, the Petitioners are alleged to have assaulted Respondent No. 2 and his wife (Respondent No. 3), causing them injuries. Thereafter, on 2nd July, 2019, at about 7:15 PM, the parties were again involved in a scuffle. It is alleged that throughout these incidents, the Petitioners repeatedly abused Respondent No. 2 and his family with filthy and caste-based slurs and continued to intimidate them. On these allegations, the present FIR came to be registered.

3. The parties have settled their disputes and differences and executed a Memorandum of Understanding⁵ dated 8th August, 2023. Copy of the MoU is on record and perused by the Court. As per its terms, Respondents No. 2 and 3 have mutually resolved all disputes and differences with the Petitioners and have agreed to voluntarily give their no objection to the quashing of the subject FIR.

4. Respondents No. 2 and 3, who are present in person, duly identified by the Investigating Officer, have confirmed the settlement and expressed their unequivocal consent to the quashing of the FIR. They confirm that the settlement has been arrived at voluntarily, without any pressure or coercion. They further submit that the parties are neighbours and wish to live peacefully, without any grievance against each other. Additionally, they

⁴ “SC-ST Act”

⁵ “MoU”



confirm that the cross FIR filed by the mother of the Petitioners, being FIR No. 109/2019, registered under Sections 325 and 341 IPC, already stands compounded. In light of the amicable resolution, the parties jointly seek quashing of the subject FIR and all proceedings arising therefrom.

5. The Court has carefully considered the submissions advanced and perused the material on record. Although the offences under Sections 323 and 509 of IPC are compoundable in nature, however, the offences under Sections 3(1)(r), 3(1)(s), 3(1)(w)(i) and 3(1)(w)(ii) of the SC-ST Act are non-compoundable. The Court is mindful that, as a general rule, proceedings arising under special statutes such as the SC-ST Act warrant a cautious and restrained approach, bearing in mind the legislative intent to safeguard the rights and dignity of marginalised communities. Nevertheless, it is equally well settled that in appropriate and exceptional situations, the High Court, in exercise of its inherent jurisdiction under Section 482 CrPC (corresponding to Section 528 BNSS), may quash criminal proceedings where the factual matrix discloses no real or subsisting cause for prosecution, and where such interference is necessary to secure the ends of justice.

6. On this aspect, it is apposite to rely to the decision of ***Ramawatar v. State of Madhya Pradesh***⁶, wherein the Supreme Court held as under:

“17. On the other hand, where it appears to the Court that the offence in question, although covered under the SC/ST Act, is primarily private or civil in nature, or where the alleged offence has not been committed on account of the caste of the victim, or where the continuation of the legal proceedings would be an abuse of the process of law, the Court can exercise its powers to quash the proceedings. On similar lines, when considering a prayer for quashing on the basis of a compromise/settlement, if the Court is satisfied that the underlying objective of the Act would not be contravened or diminished even if the felony in question goes



unpunished, the mere fact that the offence is covered under a "special statute" would not refrain this Court or the High Court, from exercising their respective powers under Article 142 of the Constitution or Section 482 CrPC."

7. In the present case, the Petitioners and Respondents No. 2 and 3 are neighbours and the dispute appears to have arisen out of prior complaints and *inter se* animosity between the parties, which thereafter escalated into allegations of verbal abuse, scuffles, and exchange of accusations. Respondents No. 2 and 3 have appeared in person and have categorically stated, both orally and through the Memorandum of Understanding dated 8th August, 2023, that the disputes between the parties now stand amicably resolved and that they have voluntarily agreed to give their no objection to the quashing of the present FIR. They have further affirmed that the settlement has been arrived at of their own free will, without any pressure, coercion, or undue influence. The Court also takes note of the fact that the cross FIR, being FIR No. 109/2019, lodged by the mother of the Petitioners, already stands compounded, thereby indicating that the parties have consciously chosen to put a *quietus* to all pending disputes.

8. Having regard to the nature of the allegations, the private character of the dispute, the subsequent settlement between the parties, and the absence of any overriding public interest in the continuation of the criminal proceedings, this Court is of the considered view that allowing the prosecution to continue would amount to an abuse of the process of law and would not advance the underlying object of the SC-ST Act.

9. In view of the foregoing, the present petition is allowed and FIR No. 361/2021 dated 18th April, 2021, registered at P.S. Khyala, and all



consequential proceedings emanating therefrom, are hereby quashed.

10. However, since the State machinery was set in motion based on the impugned FIR, it is appropriate to impose costs on the Petitioners. Accordingly, the Petitioners are directed to deposit INR 5,000/- each with the Delhi Police Welfare Fund within a period of four weeks from today. Proof of payment be deposited with the concerned IO within two weeks thereafter.

11. The parties shall remain bound by the terms of settlement.

12. Accordingly, the petition is disposed of along with pending application(s).

SANJEEV NARULA, J

DECEMBER 19, 2025

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