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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 9275/2025 & CRL.M. As. 38709/2025, 38710/2025
UMAR KHAN & ORS.Petitioners

Through: Mr. Muqem Ahmad and Mr. Shahid
Husain, Advocates with Petitioners
(in-Persons).

versus

THE STATE NCT OF DELHI & ANR.Respondents
Through: Mr. Digam Singh Dagar, APP for
State.
SI Vaibhav Singh, P.S. Sarita Vihar.
Respondent No. 2 (in-person).

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
24.12.2025

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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. 325/2018, registered at P.S. Sarita Vihar for the offences under Sections 323/341/506/34 of the Indian Penal Code, 1860³ and all consequential proceedings emanating therefrom.
2. The prosecution case emanates from a complaint filed by Respondent No. 2, alleging that on 3rd October, 2018, he observed water flowing into his shop from the premises above. When he objected and asked one Sharafat to stop the flow, he was threatened to leave the area. Thereafter, Sharafat, his son, Salim, and another unidentified associates assaulted him with fists and

¹ "BNSS"

² "CrPC"

³ "IPC"



kicks, and Sharafat's younger son struck him on the head with an iron rod, causing injuries. Based on the complainant's statement, the subject FIR came to be registered. On conclusion of investigation, chargesheet was filed and charges were framed against the Petitioners for the aforementioned offences. During the pendency of the proceedings, accused Sharafat expired. This fact was duly verified by the Trial Court, and the proceedings *qua* him consequently stood abated.

3. The parties, with the intervention of common friends, colleagues and other respectable members of society, have amicably resolved their dispute. Respondent No. 2 has decided not to pursue the present FIR against the Petitioners. Pursuant to this settlement, the parties have executed a Memorandum of Understanding dated 14th August, 2025, a copy whereof has been placed on record and perused by the Court. As per its terms, Respondent No. 2 has mutually resolved all disputes and differences with the Petitioners and has agreed to voluntarily give his no objection to the quashing of the subject FIR.

4. The Complainant, who appears in person and is identified by the Investigating Officer, unequivocally states that he does not wish to pursue the FIR proceedings. He confirms that his decision to settle the matter is voluntary and made without any undue influence or coercion. He states that the Petitioners are his neighbours and have tendered an unconditional apology, which he has accepted in order to restore peace and harmony. In light of the amicable resolution between the parties, the Petitioners seek quashing of the subject FIR and all proceedings arising therefrom.

5. The Court has considered the submissions of the parties. The offences under Sections 323, 341 and 506 IPC are compoundable, *albeit* with the



permission of the Court, and only at the instance of the aggrieved parties. However, that does not debar the High Court from resorting to its inherent power under Section 528 of BNSS (formerly, Section 482 of Cr.P.C.) and pass an appropriate order so as to secure the ends of justice.

6. Having regard to the nature of the dispute and the fact that the aggrieved party has amicably settled the matter, this Court is of the view that continuation of the criminal proceedings would serve no useful purpose. In the circumstances, this is a fit case for exercise of jurisdiction under Section 528 of BNSS, as the continuance of proceedings would amount to an abuse of the process of law and impede the ends of justice.

7. In view of the foregoing, the petition is allowed and FIR No. 325/2018, P.S. Sarita Vihar as well as all consequential proceedings arising therefrom are hereby quashed.

8. However, since the State machinery was set in motion based on the impugned FIR, it is appropriate to impose costs on the Petitioners. Accordingly, all 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 deposit be submitted to the concerned Investigating Officer.

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

10. Accordingly, the petition is disposed of along with pending applications.

SANJEEV NARULA, J

DECEMBER 24, 2025/as