



\$~68

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

+ **CRL.M.C. 326/2026, CRL.M.A. 1245/2026**

SURENDER SINGH & ANR.

.....Petitioners

Through: Mr. Rohit Gupta and Ms. Rakhi Gupta, Advs. along with petitioners in person.

versus

THE STATE NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Satish Kumar, APP with Ms. Upasna Bakshi, Advocate and Insp. Subhash Chand, PS.: Malviya Nagar.

Mr. Amandeep Singh, Mr. Pradeep and Mr. Jaskaran Singh, Advs. for R-2 & 3. Alongwith respondent nos.2 and 3 in person.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

15.01.2026

%

1. By virtue of the present petition under *Section 528* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (***BNSS***) (erstwhile *Section 482* of the Code of Criminal Procedure, 1973 (***IPC***)), the petitioners seek quashing of FIR No.1727/2015 dated 10.09.2015 filed under *Section(s) 354B/ 506/ 509/ 323 IPC* registered at P.S: Malviya Nagar, Delhi, charge-sheet whereof was filed on 01.09.2016 under *Section(s) 323/354B/506/509/452/ 34* of the *IPC* and under *Section 3* of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and all other



proceedings emanating therefrom in view of the Memorandum of Understanding dated 10.08.2016 arrived at between the parties.

2. This petition is accompanied by the Memorandum of Understanding dated 10.08.2016 [*Annexure P3*] and is also supported by affidavits of the petitioners and of respondent nos.2 and 3, alongwith proofs of their respective I.Ds.

3. The petitioners as also respondent nos.2 and 3 are present in Court and have been identified by the I.O. as also their credentials have been verified by this Court.

4. Issue Notice.

5. Learned APP for the State accepts notice. He confirms that he has no objection to the quashing of the FIR.

6. Learned counsel for the respondent nos.2 and 3 also accepts notice. Respondent nos.2 and 3 affirms the Memorandum of Understanding dated 10.08.2016 and submits that they have voluntarily settled all disputes with the petitioners. It was further stated that they do not wish to pursue the criminal proceedings against the petitioners and have no objection to the quashing of the present FIR.

7. Upon consideration of the existing peculiar facts and the overall events unfolding in their entirety, even though this Court is mindful that the present FIR has been registered under *Section(s) 354B/ 506/ 509/ 323* of the IPC, this Court is inclined to quash the present FIR in exercise of its inherent powers under *Section 528* of the BNSS, particularly whence in the opinion of this Court, the same is in the interest of justice and will also be in the interest of the parties and betterment of their future. Further, since a Settlement has been arrived at between the parties, and as the



respondent nos.2 & 3 do not wish to continue with the criminal proceedings. As such, in order to bring a quietus to the present disputes and following the law laid down by the Hon'ble Supreme Court in ***Gian Singh vs. State of Punjab & Anr.***; (2012) 10 SCC 303 and ***Narinder Singh & Ors. vs. State of Punjab & Anr.***; (2014) 6 SCC 466 as also held by a Co-ordinate Bench of this Court in ***Shyam Kishore Singh vs. Govt. NCT of Delhi***; 2023 SCC OnLine Del 4072, this Court is of the opinion that continuation of the aforesaid FIR will be an exercise in futility.

8. Accordingly, the petition is allowed and FIR No.1727/2015 dated 10.09.2015 under *Section(s) 323/354B/506/509/452/34* of the IPC and under *Section 3* of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at P.S: Malviya Nagar, Delhi and all other proceedings emanating therefrom are hereby quashed.

9. The petition, alongwith the pending application, is disposed of in the aforesaid terms.

SAURABH BANERJEE, J

JANUARY 15, 2026/bh