



\$~40

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

% **Date of Decision: 04th February, 2026**

+ **CRL.M.C. 613/2026 & CRL.M.A. 2446/2026 & CRL.M.A. 2447/2026**

ANIKET CHOUDHARY

.....Petitioner

Through: Mr. Nagender Kumar Yadav,
Ms. Parul Tyagi, Advocates.

versus

STATE OF NCT & ANR.

.....Respondents

Through: Mr. Sunil Kumar Gautam, APP for the
State with SI Mahesh Kumar, PS
Vasant Vihar.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

JUDGMENT (oral)

1. Petitioner herein seeks quashing of FIR No.114/2024 dated 07.07.2024, registered at P.S. Vasant Vihar, for commission of offences under Sections 309(4)/3(5) of *Bharatiya Nyaya Sanhita (BNS)*, 2023 (corresponding Sections 392/34 of IPC) along with all consequential proceedings arising therefrom, on the basis of compromise arrived at between the parties.

2. The abovesaid FIR was lodged on the basis of report of one Sh. Amit Kumar (respondent No.2 herein), who is working at a chemist shop. On the date of incident i.e. 06.07.2024, on the basis of one *online order*, respondent No.2 had come to Vasant Vihar to deliver medicines but when he came at designated place, all the four accused persons, met him and threatened him and entered into scuffle with him. They also snatched away his mobile phone as well as the packet containing medicines.



3. The investigation was carried out and charge-sheet has already been filed.
4. According to the case of prosecution, all the four accused persons were apprehended but learned Addl. P.P. for the State, in all fairness, admits that two such accused, however, could not be identified in the judicial TIP.
5. The present petition has, though, been filed by one such accused, fact remains that respondent No.2 is present in Court and submits that he has already got back his mobile phone as well as the packet containing medicines. He submits that there was some dispute relating to '*mode of payment*' as he had been directed by the owner of the shop to accept '*cash*' only whereas the customers were intending to make payment through '*online mode*'. According to him, the abovesaid reason resulted in scuffle and registration of FIR. In his affidavit, he has, categorically, deposed that FIR was registered in the heat of moment, anger and misunderstanding and he had amicably settled the disputes with the petitioner.
6. During course of the arguments, he submits that he would have no objection if the entire FIR, against all the concerned accused, is quashed as he is, now, left with no grievance in the matter.
7. The medicines in question were ordered by accused Ashish and when asked, the Investigating Officer apprised that Ashish has no previous antecedents and is, on anticipatory bail.
8. Petitioner, who is present in Court, is a young man in his twenties, with no previous involvement.
9. Keeping in mind the overall facts and in view of the narration of the actual facts by respondent No.2 during course of the proceedings, while exercising inherent powers vested in this Court under Section 528 of the



BNSS, it is deemed appropriate to quash the instant FIR.

10. Consequently, to secure the ends of justice, FIR No.114/2024 dated 07.07.2024, registered at P.S. Vasant Vihar, for commission of offences under Sections 309(4)/3(5) of *Bharatiya Nyaya Sanhita (BNS)*, 2023 along with all consequential proceedings emanating therefrom, is hereby, quashed.

11. The petition stands disposed of in aforesaid terms.

12. Pending applications also stand disposed of.

(MANOJ JAIN)
JUDGE

FEBRUARY 04, 2026/st/js