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

+ **CRL.M.C. 723/2026 & CRL.M.A. 2903/2026**

SHRI ASHISH AGGARWAL

.....Petitioner

Through: Mr. Navin Kumar Chaudhary, Advs
alongwith petitioner in person

versus

THE STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Raj Kumar, APP for the State
with SI Pooja, PS New Usmanpur
Ms. Shreya Smriti, Mr. Devagya
Kainth and Mr. Taureeq Ahmed,
Advs. for R-2 with Complainant in
person

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

29.01.2026

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1. By virtue of the present petition under *Section 528* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (**BNSS**), the petitioner seeks quashing of FIR No.0652/2024 dated 28.11.2024 registered at P.S: New Usmanpur, Delhi under *Section(s) 74/351(2)* of the Bhartiya Nyaya Sanhita, 2023 (**BNS**) and all other proceedings emanating therefrom in view of the Memorandum of Settlement dated 05.01.2026 arrived at between the petitioner and respondent no.2.

2. The present petition is accompanied by the Memorandum of Settlement dated 05.01.2026 as *Annexure P2* and is also supported by affidavits of the petitioner and of respondent no.2, alongwith proofs of their respective I.Ds.



3. Issue Notice.

4. Learned APP for the State accepts notice. He confirms that he has no objection to the quashing of the FIR No.0652/2024 dated 28.11.2024.

5. Learned counsel for the respondent no.2 also accepts notice. Respondent no.2, present in Court, confirms the Memorandum of Settlement dated 05.01.2026 and submits that she has voluntarily settled all her disputes with the petitioner. Respondent no.2 further states that she does not wish to pursue the criminal proceedings against the petitioner and have no objection to the quashing of the FIR No.0652/2024 dated 28.11.2024.

6. Further, the petitioner and the respondent no.2, present in Court, as well as their credentials, as on record, have been identified by the Investigating Officer.

7. *De hors* the offences and/ or the *Section(s)* involved, this Court has to take into consideration that the respondent no.2 has voluntarily entered into a Memorandum of Settlement dated 05.01.2026 with the petitioner in the midst of pendency of the proceedings, and thus is no longer inclined to support the case of the prosecution. As such, there is no reason for prolonging the trial and/ or continuing with the proceedings therein.

8. As such, 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 No.0652/2024 dated 28.11.2024 will be an exercise in futility.



9. Accordingly, the petition is allowed and FIR No.0652/2024 dated 28.11.2024 registered at P.S: New Usmanpur, Delhi under *Section(s) 74/351(2) BNS* and all other proceedings emanating therefrom are hereby quashed.

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

SAURABH BANERJEE, J

JANUARY 29, 2026/So