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

+ CRL.M.C. 896/2026, CRL.M.A. 3559/2026-Exp

XYZ & ANR.

.....Petitioners

Through: Mr. Kartik Kaushik and Ms.
Geetanjali Kundra, Advocates with
petitioners in person

versus

STATE NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Satish Kumar, APP with Ms.
Upasna Bakshi, Advocate with SI
Sunil, PS: Naraina
Mr. Sanjeev Rawat and Mr. Yash
Preet Singh, Advocates with R-2 to
6 in person

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

03.02.2026

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1. By virtue of the present petition under *Section 528* of the Bharatiya Nagarik Suraksha Sanhita, 2023 read with *Section 482* of the Code of Criminal Procedure, 1973, the petitioner seeks quashing of FIR No.02/2016 dated 01.01.2016 registered at PS.: Naraina, Delhi under Sections 354/323/506/509/34 of the Indian Penal Code, 1860 (**IPC**) and all other proceedings emanating therefrom in view of the Memorandum of Understanding dated 18.12.2023 arrived at between the petitioner no.1 and the respondent nos.2 to 6.
2. The present petition is accompanied by the Memorandum of Understanding dated 18.12.2023 [**Annexure C(Colly)**] and is also



supported by affidavits of the petitioners and the respondent nos.2 to 6, 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.02/2016 dated 01.01.2016.

5. Learned counsel for the respondent nos.2 to 6 also accepts notice. Respondent nos.2 to 6, present in Court, confirm the Memorandum of Understanding dated 18.12.2023 and submit that they have voluntarily settled all their disputes with the petitioners. Respondent nos.2 to 6 further state that they do not wish to pursue the criminal proceedings against the petitioners and have no objection to the quashing of the FIR No.02/2016 dated 01.01.2016.

6. Further, the petitioners and the respondent nos.2 to 6, 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 to 6 have voluntarily entered into a Memorandum of Understanding dated 18.12.2023 with the petitioner no.1 in the midst of pendency of the proceedings, as also respondents no.2 to 6 have given their affidavit to put quietus to the matter qua the petitioners and are thus 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.02/2016 dated 01.01.2016 will be an exercise in futility.

9. Accordingly, the petition is allowed and FIR No.02/2016 dated 01.01.2016 registered at PS.: Naraina, Delhi under Sections 354/323/506/509/34 of the Indian Penal Code, 1860 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

FEBRUARY 3, 2026/So