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

\# **CNR No. DLHC010540282025**

\+ CRL.M.C. 5319/2025

VIKAS @ DHILLA .....Petitioner

Through: None

versus

STATE OF NCT OF DELHI & ORS. .....Respondents

Through: Mr. Sanjeev Sabharwal, APP for State with SI Ashish, PS: JP Kalan

CORAM:
HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

O R D E R

% 27.10.2026

1. This petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ['BNSS'][1] seeking the following relief: -

> "quash the FIR No. 084/2025, dated 20.06.2025, u/s 333/115(2)/351(2)/238(C)/3(5) of BNS (452/323/506/201/34 of IPC), registered at P.S. Jaffar Pur Kalan, District Dwarka, Delhi and all the emanating proceedings arising from it qua the petitioner"

2. The prayer for quashing is premised on a settlement deed dated 17.07.2025, stated to have been executed between the petitioner and respondent nos. 2 and 3.

3. Mr. Sanjeev Sabharwal, learned APP for the State, on instructions from the Investigating Officer ['IO'], opposes the present petition. He submits that the petition seeks partial quashing of the FIR, which cannot be allowed in the facts and circumstances of the present case. He states that there are four accused persons, whereas the petition has been filed on behalf

[1] Corresponding to Section 482 of the Code of Criminal Procedure, 1973 ['CrPC']

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of one accused.

4. The IO states that, as per the allegations in the FIR, four persons had entered the premises of 'Jai Mata Di Motors', where respondent no. 2 was working as a manager, and assaulted him and the watchman, Sunil, with sticks. It is further alleged that the assailants damaged articles and glass at the premises and extended threats to respondent no. 2 to stop working there. The FIR also records the removal of the CCTV camera and DVR from the premises.

5. The IO further states that, apart from the petitioner accused, the remaining three accused persons are absconding, and non-bailable warrants ['NBWs'] have been issued against them. He submits that the incident appears to have arisen out of a dispute relating to the business being conducted at the premises by respondent no. 2.

6. None appears on behalf of the petitioner.

7. This Court has interacted with respondent no. 2, who is personally present in Court and has been identified by the IO. On being queried about the circumstances surrounding the incident and the settlement, respondent no. 2 states that he entered into the settlement with the petitioner at the instance of mutual friends. He further states that he is not aware of the motive behind the alleged attack by the petitioner and the other three persons at the office on 19.06.2025.

8. This Court has considered the submissions made by the learned APP for the State, the IO, and the statement made by respondent no. 2.

9. The inherent jurisdiction under Section 528 of the BNSS is intended to prevent abuse of the process of Court and to secure the ends of justice. The exercise of such jurisdiction on the basis of a settlement between the

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parties is discretionary and must depend upon the nature and gravity of the allegations, the circumstances of the case, and the impact of quashing the proceedings on the administration of criminal justice.

10. In the present case, the allegations in the FIR are not confined to a private dispute between the petitioner and respondent no. 2. The FIR records an alleged incident involving four persons who arrived at the premises together and assaulted respondent no. 2 as well as another person Sumit and threatened the victim with his life. The MLC of respondent no. 2, as recorded in the FIR, notes multiple bruise marks on his right thigh and left arm. There is no civil or contractual dispute between the parties and allegations made in the FIR prima facie shows it to be a case of criminal trespass with the intention to cause assault and criminal intimidation.

11. Further, the IO has stated that the other three accused persons remain absconding and that NBWs have been issued against them. In these circumstances, the settlement stated to have been arrived at between the petitioner and respondent nos. 2 and 3 cannot, by itself, be treated as sufficient ground to quash the criminal proceedings arising out of the incident.

12. The nature of the allegations and the circumstances brought to the notice of this Court do not persuade this Court to exercise of inherent jurisdiction to quash the FIR.

13. In fact, it appears that the complainant and the injured person Sumit do not know the accused. The circumstances in which the settlement has been arrived at is not apparent and this Court is not persuaded that it is free from coercion.

14. In view of the aforesaid facts and circumstances, this Court is not

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inclined to exercise its inherent jurisdiction under Section 528 of the BNSS.

15. The FIR and the investigation into the allegations made therein against the accused shall continue in accordance with law.

16. Accordingly, the petition is dismissed.

17. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

OCTOBER 27, 2026/*rhc/AM*

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