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

\# **CNR No. DLHC010867512024**

\+ CRL.M.C. 9345/2024 & CRL.M.A. 35838/2024

SHAHID & ORS. .....Petitioners

Through: Mr. A.K. Kashyap, Mr. Yash, Advs. alongwith Petitioners in person.

versus

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

Through: Mr. Manoj Pant, APP for the State/R1 with SI Rahul Ranjan, PS Harsh Vihar.
Mr. Ashok Thagal, Adv. for R2 to R4 alongwith Respondents No. 2 to 4 in person.

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\# **CNR No. DLHC010867522024**

\+ CRL.M.C. 9346/2024 & CRL.M.A. 35839/2024

DEEPAK SHARMA & ANR. .....Petitioners

Through: Mr. Ashok Thagal, Adv. alongwith Petitioners in person.

versus

THE STATE NCT OF DELHI & ANR. .....Respondents

Through: Mr. Manoj Pant, APP for the State/R1

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with SI Rahul Ranjan, PS Harsh Vihar.
Mr. A.K. Kashyap, Mr. Yash, Advs. alongwith R-2 in person.

CORAM:
HON'BLE MR. JUSTICE VIMAL KUMAR YADAV

O R D E R

% 12.10.2026

1. Hybrid mode.

2. These are the petitions filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (hereinafter referred to as 'BNSS'), seeking quashing of two cross cases i.e. FIR No. 403/2017 dated 05.10.2017 registered at P.S. Harsh Vihar, Shahdara District, Delhi under Sections 308/323/452/354/336/506/509/34 Indian Penal Code ('IPC') 1860 and FIR No. 404/2017 dated 05.10.2017 registered at P.S. Harsh Vihar, Shahdara District, Delhi under Sections 308/323/34 Indian Penal Code ('IPC') 1860 respectively.

3. It is submitted by learned counsel for the Petitioners that due to some quarrel among the children of the parties an altercation took place, which turned ugly and transcended the vocal boundary and entered into the realm of physical fight, amongst the parties involved. It finally, resulted into the registration of the respective FIRs on 05.10.2017 against the petitioners.

4. Learned counsel for the petitioners further submit that charge sheet in the present case has been filed before the learned trial court and the charges have been framed against the petitioners.

5. It is submitted that during the course of proceedings, with the intervention of some responsible and respectable persons in the society, the

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matter/dispute has been resolved amicably amongst the parties and now there is no grievance or grudge left amongst the parties against each other. As such, no useful purpose will be served by continuing with the proceedings in the said FIRs.

6. It is further submitted that since the petitioners and the respondents are neighbours residing in the same locality, the continuation of the current proceedings, in the respective cases may cause the disturbance in peace and harmony of the social life of the parties. Both the parties want to forgive each other and forget the unpleasant incidents of the past.

7. The Investigating Officer (IO)/SI Rahul Ranjan from P.S. Harsh Vihar is present in the Court today. He has duly identified the petitioners and respondents in the above FIRs. Parties have also been duly identified by their respective counsels.

8. Parties, who are physically present before Court today, submit that the matters have been amicably settled by them without any force, fear, coercion. They further submit that they have no objection if the FIRs in hand are quashed against the petitioners.

9. The inherent jurisdiction of this Court under Section 482 of the Code of Criminal Procedure, 1973 (hereinafter referred to as 'Cr.P.C') is distinct from the statutory power of compounding offences under Section 320 Cr.P.C. The fact that an offence is non-compoundable does not, by itself, limit this court from exercising its inherent powers to quash the criminal proceedings on the basis of a compromise between the parties. Such jurisdiction, however, must be exercised sparingly and upon due consideration of the nature and gravity of the offence along with the accompanying circumstances such as the place where the offence took place,

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the type of weapons used, injuries sustained etc. In the present case, in view of the settlement arrived at between the parties, continuing with the criminal proceedings would serve no useful purpose, especially, when dispute does not involve any public interest. Moreover, as the petitioners and the respondents are the neighbours residing in the same vicinity, the continuation of the proceedings in the present case may cause the disturbance in peace and harmony of the social life of the parties as they may continue to nurse the grudge. However, if the parties are ready to forgive and forget and move on in their lives, then it should be encouraged. The ultimate aim of justice administration system is to ensure peace in the society, uphold the truth and ensure the maintenance of law and order. In these parameters also the settlement is to be encouraged.

10. Accordingly, exercising inherent the powers vested in this Court under Section 528 of BNSS, it is deemed appropriate to quash both the FIRs in hand.

11. Consequently, to secure the ends of justice, FIR No. 403/2017 dated 05.10.2017 registered at P.S. Harsh Vihar, Shahdara District, Delhi under Sections 308/323/452/354/336/506/509/34 Indian Penal Code ('IPC') 1860 and FIR No. 404/2017 dated 05.10.2017 registered at P.S. Harsh Vihar, Shahdara District, Delhi under Sections 308/323/34 Indian Penal Code ('IPC') 1860 respectively along with all consequential proceedings emanating therefrom are hereby, quashed. Sworn affidavits dated 12.11.2024 of the Respondents, copies of which have been placed on record in the present proceedings, shall be submitted before the learned Trial Court, so that these become part of Trial Court Record and shall also be submitted to concerned SHO/IO within four weeks from today.

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12. Petitions are allowed and disposed of accordingly.

13. Pending application(s), if any, also stand disposed of.

VIMAL KUMAR YADAV, J

OCTOBER 12, 2026/ps

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