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

+ **CRL.M.C. 9243/2025**

HARISH SACHDEVA AND ANRPetitioners

Through: Mr. Sandeep Singh Nainwal,
Advocate with petitioners in
person.

versus

THE STATE OF NCT OF DELHI AND ORSRespondents

Through: Mr. Hitesh Vali, APP with SI
Narinder.
R2 to R4 in person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **30.03.2026**

1. The petitioners have filed this petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"] (corresponding to Section 482 of the Code of Criminal Procedure, 1973 ["CrPC"]) seeking quashing of FIR No. 431/2025 dated 24.09.2025, registered at Police Station Maidan Garhi, District South, New Delhi, under Section 290 of the Bharatiya Nyaya Sanhita, 2023 ["BNS"], alongwith all proceedings emanating therefrom, on the ground of settlement.
2. Issue notice. Mr. Hitesh Vali, learned Additional Public Prosecutor, accepts notice on behalf of the State. Respondent Nos. 2 to 4 appear in person, and state that they do not wish to seek assistance of counsel.
3. The impugned FIR was registered at the instance of respondent



Nos. 2 and 3, alleging that the ongoing construction adjacent to their residence caused significant damage to the common wall and structure of their house, posing a grave threat to their safety, particularly during the rainy season. During the course of investigation, it was found that the petitioners herein were the owners of the property in question.

4. The parties have since entered into a settlement, as recorded in a Memorandum of Understanding dated 11.11.2025 [“MoU”].

5. By order dated 21.01.2026, the submission of learned counsel for the petitioner was recorded, to the effect that the offence under Section 290 of the BNS is non-cognizable, and that no FIR ought to have been registered in the present case. Pursuant thereto, Mr. Vali has handed up a status report, which states that the impugned FIR was registered inadvertently, and the State has filed a cancellation report before the learned Magistrate’s Court. The status report is taken on record.

6. In light of the aforesaid, the parties seek quashing of the impugned FIR.

7. The petitioners are present in Court, and have been identified by their learned counsel, as well as by the Investigating Officer. Respondent Nos. 2 to 4 are also present in person, and have been identified by the Investigating Officer.

8. The MoU contemplates payment of a sum of Rs. 8,00,000/- by the petitioners to respondent Nos. 2 to 4 towards full and final settlement of all claims. Respondent Nos. 2 to 4 state that they have received the said amount.

9. The parties also confirm that the settlement has been entered into voluntarily, and without any coercion or undue pressure.



10. The Supreme Court has clearly held that, in certain circumstances, the High Courts, in exercise of their powers under Section 528 of the BNSS [corresponding to Section 482 of the CrPC], can quash criminal proceedings on the ground that there is a compromise between the accused and the complainant, especially when no overarching public interest is adversely affected. However, in the present case, even this situation does not arise, as the alleged offence is non-cognisable.

11. Having regard to the above, to the settlement reached between the parties, and the filing of the cancellation report by the State before the learned Magistrate's Court, the continuance of the impugned FIR serves no useful purpose. In any event, respondent Nos. 2 to 4 have also categorically affirmed the voluntary nature of the settlement before the Court, and have received the settlement amount of Rs. 8,00,000/-. In these circumstances, continuation of the proceedings would place an unnecessary burden on the justice system and public resources.

12. Accordingly, the petition is allowed, and FIR No. 431/2025 dated 24.09.2025, registered at Police Station Maidan Garhi, District South, New Delhi, under Section 290 of the BNS, alongwith all consequential proceedings arising therefrom, is hereby quashed.

13. The parties will remain bound by the terms of the settlement.

14. The petition accordingly stands disposed of.

PRATEEK JALAN, J

MARCH 30, 2026

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