

(2025) 12 DEL CK 0009

Delhi HC

Case No: Criminal Miscellaneous Petition No. 5089 Of 2025 & Criminal Miscellaneous
Application No. 22013 Of 2025

Sangeeta @Sanyogita

APPELLANT

Vs

State Of Nct Delhi Through Sho
P.S Kotla Mubarakpur & Anr.

RESPONDENT

Date of Decision: Dec. 5, 2025

Acts Referred:

- Bharatiya Nagarik Suraksha Sanhita, 2023- Section 528
- Code of Criminal Procedure Act, 1973- Section 482
- Indian Penal Code, 1860- Section 308

Hon'ble Judges: Ravinder Dudeja, J

Bench: Single Bench

Advocate: Mohd. Absar Ahmad, Sandeep Sain, Sanjeev Bhandari

Final Decision: Allowed

Judgement

Ravinder Dudeja, J

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of FIR No. 0499/2021, dated 16.12.2021, registered at P.S K.M. Pur, Delhi under Sections 308 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. As per averments made in the FIR, on 12/12/2021, Petitioner threw a brick at Respondent No. 2 causing Simple injury. Chargesheet has already been filed and charges have been since framed under sections 308 IPC against the petitioner.

3. During the course of proceedings, the parties who are sister in laws (Devrani and Jethani) have amicably resolved their disputes and executed a Memorandum of Understanding dated 15.05.2025, copy of which has been placed on record as Annexure P-3.

4. Parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI WSI Komal from PS Aman Vihar and SI Pardeep Kumar, PS K.M. Pur.

5. Respondent No. 2 confirms that the matter has been amicably settled with the petitioner without any force, fear, coercion and she has no objection if the FIR No.

0499/2021 is quashed against the Petitioner.

6. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 0499/2021 is quashed.

7. In *Gian Singh vs State of Punjab* (2012) 10 SCC 303, Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

"61. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceedings."

8. Further, it is settled that the inherent powers under section 482 of the Code are required to be exercised to secure the ends of justice or to prevent abuse of the process of any court. Further, the High Court can quash non-compoundable offences after considering the nature of the offence and the amicable settlement between the concerned parties. Reliance may be placed upon *B.S. Joshi v. State of Haryana*, (2003) 4 SCC 675.

9. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion, it would be in the interest of justice, to quash the abovementioned FIR and the proceedings pursuant thereto.

10. In the interest of justice, the petition is allowed, and the FIR No. 0499/2021, dated 16.12.2021, registered at P.S K.M. Pur, Delhi under section 308 IPC and all the other consequential proceeding emanating therefrom is hereby quashed subject to petitioner depositing cost of Rs. 5,000/- (Rupees Five Thousand only) with Delhi High Court Staff Welfare Fund bearing Account No. 15530110074442, maintained with UCO Bank within a period of one month.

11. Petition is allowed and disposed of accordingly.

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