

(2025) 12 DEL CK 0004

Delhi HC

Case No: Criminal Miscellaneous Petition No. 8967 Of 2024 & Criminal Miscellaneous
Application No. 36371 Of 2025

Siya Ram

APPELLANT

Vs

State Govt. Of Nct Of Delhi And
Anr.

RESPONDENT

Date of Decision: Dec. 20, 2025

Acts Referred:

- Bharatiya Nagarik Suraksha Sanhita, 2023- Section 528
- Code of Criminal Procedure, 1973- Section 482
- Indian Penal Code, 1860- Section 279, 288, 304A, 337

Hon'ble Judges: Ravinder Dudeja, J

Bench: Single Bench

Advocate: Arti Bansal, Shruti Goel, Satinder Singh Bawa, Meena

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. 207/2018, dated 02.05.2018, registered at P.S Burari, Delhi under Sections 288/337/304A IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. As per allegations made in the FIR, On 02.05.2018 at about 5:00 PM, bricks fell from an under-construction building owned by the Petitioner during a thunderstorm, causing fatal head injuries to mother of respondent no. 2 who was later declared dead when taken to hospital and head injuries to Respondent no. 7/minor son of respondent no. 2. The injury to Saras was later opined as simple. Chargesheet has since been filed under sections 279/337/304A IPC against the petitioner.

3. It is submitted that parties have amicably resolved their disputes and executed a Compromise Deed dated 22.10.2024, in terms of which the petitioner has agreed to pay the total settlement amount of Rs. 4.00,000/- (Rupees Four Lacs only) as compensation to the respondents. It is submitted that since after the execution of the compromised deed, petitioner has agreed to pay Rs. 1 lac more to the respondents. It is also stated that petitioner has already paid Rs. 2 lacs to the respondents and has brought demand draft of Rs. 3 lacs toward the balance amount of compensation in the name of respondent no. 2. Copy of the Compromise Deed dated 22.10.2024 has been annexed as Annexure-2.

4. Parties are physically present before the Court They have been identified by their respective counsels as well as by the Investigating Officer SI Gopal, from PS Burari.

5. Respondents confirms that the matter has been amicably settled with the petitioner without any force, fear, coercion and they have received the entire settlement amount of Rs. 5 lacs including demand draft Rs. 3 lacs given today and have no objection if the FIR No. 207/2018 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. 207/2018 is quashed.

7. In **Gian Singh vs State of Punjab (2012) 10 SCC 303**, Honble 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. The petition is allowed, and the FIR No. 207/2018, dated 02.05.2018, registered at P.S Burari, Delhi under section 288/337/304A IPC and all the other consequential proceeding emanating therefrom is hereby quashed.

11. Petition is allowed and disposed of accordingly.

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