

Suraj Kumar vs the State (Gnctd) Through Sho, Ps Sagarpur and Anr.

Suraj Kumar vs the State (Gnctd) Through Sho, Ps Sagarpur and Anr.

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Court : Delhi

Decided On : May-06-2026

Judge : Hon'Ble Mr. Justice Manoj Jain

Appeal No. : CRL.M.C./3496/2026

Appellant : Suraj Kumar

Respondent : The State (Gnctd) Through Sho, Ps Sagarpur and Anr.

Advocate for Pet/Ap. : Mr. Ajay Kumar Sharma, Mr. Raj Kumar, Mr. Sunil Kumar Gautam, Mr. Ajay Kumar Sharma

Judgement :

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* IN THE HIGH COURT OF DELHI AT NEW DELHI

% Date of Decision: 06th May, 2026 + CRL.M.C. 3496/2026&CRL.M.A. 14171/2026 SURAJ KUMARPetitioner Through: Mr. Ajay Kumar Sharma, Advocate. THE STATE (GNCTD) THROUGH SHO, PS SAGARPUR AND ANR.Respondent Through: Mr. Raj Kumar, APP with SI Nitesh M. Mr. R S Mishra, Advocate for R-2. + CRL.M.C. 2108/2026 &CRL.M.A. 8707/2026 BABU KUMARPetitioner Through:

Mr. R S Mishra, Advocate. THE STATE NCT OF DELHI AND ANR.
....Respondent Through: Mr. Sunil Kumar Gautam, APP with SI Nitesh M.
Mr. Ajay Kumar Sharma, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Both these petitions, being connected, are taken up together.
2. Petitioners herein seek quashing of FIRs i.e. cross FIR Nos.280/2019 along with all consequential proceedings arising therefrom, on the basis of compromise arrived between them.
3. Copies of abovesaid FIRs are on record.
4. As per allegations appearing in FIR No. 280/2019, complainant-Suraj Kumar had gone to the premises of his Company situated at Kailash Puri on 25.06.2019. He called his friend Babu Kumar there. They both took drinks Digitally Signed CRL.M.C. 3496/2026 & CRL.M.C. 2108/2026 1

together and, thereafter, some altercation took place and they both started abusing each other. According to Suraj Kumar, his friend Babu Kumar took out a knife from his pocket and attacked him with such knife. On account of such attack, he received injuries on his hand and on his neck. Though, the abovesaid case was, initially, registered for commission of offence under Section 308 IPC, later on, Section 307 IPC was also added. The abovesaid case is, presently, at the stage of final arguments.

5. As regards FIR No. 281/2019, which has been lodged at the instance of

complainant-Babu Kumar, both of them took drinks together and, thereafter, there was a quarrel between them and as per Babu Kumar, Suraj Kumar picked up a brick from the spot and hit him with the abovesaid brick on his head, which resulted injuries to him. The abovesaid case has been registered for offences under Sections 323/341 IPC. However, the charges were framed for commission of offences under Sections 324/341 IPC and the case is at the stage of Prosecution Evidence.

6. Both the parties i.e. Babu Kumar and Suraj Kumar are present in Court and have also been identified by the IO, who is also present in Court.

7. When asked, they both claimed that they are close friends and come

from same village situated in Muzzafarpur, Bihar. They submit that they are residing in some neighbourhood of Sagarpur and on that day, they had consumed alcohol and under the influence of alcohol, they quarreled and scuffled with each other. In such process, the empty alcohol bottle got broken and during scuffle, they had fallen upon the pieces of such broken glass bottle, which resulted in injuries.

8. A comprehensive Memorandum of Understanding (MoU) has been drawn on 11.12.2026 which is signed by both of them. In such MoU, both the Digitally Signed CRL.M.C. 3496/2026 & CRL.M.C. 2108/2026 2

parties have stated that they have entered into abovesaid settlement with their own free-will and without any pressure, force, coercion and undue influence from any corner whatsoever, and that they do not want to proceed with their respective cases and would have no objection if their respective FIRs are

9. The incident in question dates back to year 2019 and when asked, IO informed that there is no other case of any nature whatsoever against either of them.

10. Both the parties are young offenders in their twenties and feel apologetic for the incident in question.

11. They both reiterate the terms of the settlement as recorded in the

abovesaid MoU and submit that the Affidavit-cum-No Objection Certificate have been prepared as per their specific instructions. They also submit that they want to ensure that their friendship does not get effect in future, and with that intent in mind, they are not interested in pursuing with the abovesaid FIRs and reliance is placed on *Gian Singh v. State of Punjab & Anr.* (2012) 10 SCC 303.

12. Reference be made to the following observations made in *Antonnette*

Promilla Fernandez v. State NCT of Delhi and Another 2026 SCC OnLine Del 809:- "15. It is now well settled that, even in the case of non-compoundable offences, the High Court may exercise inherent powers, recognised by Section 482 of the Cr PC and Section 528 of the BNSS, to quash proceedings based on a compromise between the parties. However, the aforesaid power is discretionary, and certain principles have been laid down, which guide the Court in adjudicating an application of this nature.

13. Reference be also made to *Mohd. Umair@Umer v. State (Govt NCT of Digitally Signed CRL.M.C. 3496/2026 & CRL.M.C. 2108/2026 3*

Delhi) And Ors And Anr. (in CRL.M.C.674/2021; DoD 12.03.2021), wherein this Court, after considering the nature of the offence, young age of the accused and amicable settlement between the parties, quashed the proceedings in relation to offence under Section 307 IPC.

14. In view of the settlement arrived at between the parties, continuing with criminal proceedings would serve no useful purpose.

15. Accordingly, exercising inherent powers vested in this Court under Section 528 of *Bharatiya Nagarik Suraksha Sanhita, 2023*, it is deemed appropriate to quash the instant FIRs.

16. Consequently, to secure the ends of justice of cross FIR Nos.280/2019 along with all consequential proceedings arising therefrom, are, hereby,

17. The petitions stand disposed of in aforesaid terms.

18. Pending application also stands disposed of in aforesaid terms. (MANOJ JAIN)
JUDGE MAY 6, 2026/sw/sa Digitally Signed CRL.M.C. 3496/2026 &CRL.M.C.
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