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

CNR No. DLHC010355532026

+ **W.P.(CRL) 2333/2026**

MAYANK

.....Petitioner

Through: **Mr. Himanshu, Advocate.**

versus

**THE GOVT. OF NCT OF
DELHI & ANR. & ORS.**

.....Respondents

Through: **Ms. Rupali Bandhopadhyaya, ASC
with Mr. Abhijeet Kumar & Ms.
Amisha Gupta, Advocates.
SI Sunil Dutt, PS Dwarka North.
R-2 by way of VC.**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **05.08.2026**

Note: FIR refers to MLC, which records injuries as simple. However, Injured stated he suffered fracture, and ASC also stated that the injury was grievous.

CRL.M.A. 23611/2026 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(CRL) 2333/2026

1. The petitioner has filed this petition under Article 226 of the Constitution, seeking quashing of FIR No. 171/2026, dated 29.05.2026, lodged at Police Station Dwarka (North), under Sections 281/125(a) of



the Bharatiya Nyaya Sanhita, 2026 [“BNS”] on the ground of settlement.

2. Issue notice. Ms. Rupali Bandhopadhy, learned Additional Standing Counsel, accepts notice on behalf of the State. Respondent No. 2, who is the General Power of Attorney [“GPA”] holder of the injured-complainant, Ankit, is present in Court, and states that he does not seek the assistance of counsel. A GPA dated 05.06.2026 has been placed on record. The injured-complainant is also present by way of video conference.

3. The petitioner is present in Court, and is identified by his learned counsel, and the Investigating Officer [“IO”]. The injured-complainant is present by video conference, and has also been identified by the IO.

4. The impugned FIR was registered at the instance of Ankit, and arises out of a road traffic accident that occurred on 26.05.2026. It is alleged that while Ankit, a delivery rider, was proceeding towards Kakrola Village on his motorcycle, he was hit by a car being driven by the petitioner, as a result of which Ankit sustained injuries.

5. The injuries suffered by Ankit have been classified in the MLC as “simple”.

6. A chargesheet has not yet been filed in these proceedings.

7. During the pendency of the proceedings, the parties amicably resolved their disputes, and entered into a Settlement Agreement dated 05.06.2026.

8. The parties submit that the settlement has been entered into voluntarily, without force, fraud or coercion, and that continuation of the criminal proceedings would serve no useful purpose. The injured-complainant, who is present through video conference, states that he has



since recovered from the injuries, and there are no lasting consequences. He also states that he is satisfied with the settlement.

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

10. The Supreme Court has clearly held that, in certain circumstances, the High Courts, in exercise of their powers under Section 482 of CrPC [corresponding to Section 528 of BNSS], can quash criminal proceedings, even with respect to non-compoundable offences, on the ground that there is a compromise between the accused and the complainant, especially when no overarching public interest is adversely affected.

11. In *Gian Singh v. State of Punjab and Anr.* [(2012) 10 SCC 303], the Supreme Court held as follows:

“58. Where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor. No doubt, crimes are acts which have harmful effect on the public and consist in wrongdoing that seriously endangers and threatens the well-being of the society and it is not safe to leave the crime-doer only because he and the victim have settled the dispute amicably or that the victim has been paid compensation, yet certain crimes have been made compoundable in law, with or without the permission of the court. In respect of serious offences like murder, rape, dacoity, etc., or other offences of mental depravity under IPC or offences of moral turpitude under special statutes, like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity, the settlement between the offender and the victim can have no legal sanction at all. However, certain offences which overwhelmingly and predominantly bear civil flavour having arisen out of civil, mercantile, commercial, financial, partnership or such like transactions or the offences arising out of matrimony, particularly relating to dowry, etc. or the family dispute, where the wrong is basically to the victim and the offender and the victim have settled all disputes between them



amicably, irrespective of the fact that such offences have not been made compoundable, the High Court may within the framework of its inherent power, quash the criminal proceeding or criminal complaint or FIR if it is satisfied that on the face of such settlement, there is hardly any likelihood of the offender being convicted and by not quashing the criminal proceedings, justice shall be casualty and ends of justice shall be defeated. The above list is illustrative and not exhaustive. Each case will depend on its own facts and no hard-and-fast category can be prescribed.”

[Emphasis supplied.]

12. The present case arises out of a road traffic accident. There is no allegation of any deliberate or intentional act. The injuries in the MLC are also recorded as simple in nature. The parties have, thereafter, amicably resolved all their *inter se* disputes, and the injured-complainant has categorically affirmed before this Court that the settlement has been entered into voluntarily. In view of the nature of the allegations, the subsequent settlement between the parties, the likelihood of conviction is remote. Continuation of the criminal proceedings in such circumstances would, therefore, be an exercise in futility, serving no useful purpose and resulting only in an unnecessary consumption of judicial time and public resources.

13. The settlement contemplates a payment of Rs. 1,80,000/- to the injured-complainant, who states that the entire amount has already been received by him. There is therefore no impediment in granting the relief sought.

14. Having regard to the above discussion, the petition is allowed, and FIR No. 171/2026, dated 29.05.2026, lodged at Police Station Dwarka, under Sections 281/125(a) of BNS, alongwith all consequential proceedings arising therefrom, is hereby quashed.



15. The petition stands disposed of.
16. The parties will remain bound by the terms of the settlement.

AUGUST 5, 2026
'pv'/AD/

PRATEEK JALAN, J