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

+ **W.P.(CRL) 415/2025 & CRL.M.A. 3741/2025**

GANJALA BHARATI ALIAS BHARATI

.....Petitioner

Through: Mr. Suraj Gupta and Mr. Sachin Kumar, Advocates with Petitioner in person.

versus

THE STATE OF DELHI & ANR.

.....Respondents

Through: Mr. Sanjeev Bhandari, ASC with Mr. Arjit Sharma and Ms. Sakshi Jha, Advocates for the State.
SI Shiv Om, PS: Madhu Vihar.
Mr. Shubham Maheshwari and Ms. Harshi Dhiman, Advocates for R-2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

23.09.2025

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1. The present petition seeks quashing of FIR No. 0472/2024 for offence under Section 109(1) of the Bharatiya Nyaya Sanhita, 2023¹ registered at P.S. Madhu Vihar, on the basis of a compromise between the Petitioner (Accused) and the Complainant, who is her husband.
2. On 29th December, 2024, at around 8:00 PM, Respondent No. 2, Prakash Reddy, while at home, had an argument with his wife over household expenses and alcohol consumption. During the altercation, his

¹ "BNS"



wife allegedly stabbed him in the chest with a kitchen knife.

3. Noting that the incident arose on account from a domestic dispute between the parties at their residence, allegedly while the victim was under the influence of alcohol, the Court on 18th August, 2025, passed the following order:

“1. The present case arises from a domestic dispute in which the Petitioner (wife) is alleged to have stabbed her husband. The incident purportedly occurred at their residence, allegedly while the victim was under the influence of alcohol. This suggests to the Court that alcoholism may have escalated into a violent domestic altercation.

2. The Petitioner submits that she is currently residing with Respondent No. 2 and that there have been no further complaints. She further states that her husband has since overcome his alcohol addiction. It is also brought to the Court’s attention that the couple has two minor children who require care and support.

3. In order to form an informed opinion, it is considered appropriate to call for a report.

4. The concerned Probation Officer is directed to visit the parties’ residence, gather information regarding the victim’s health condition, and ascertain whether any further incidents of domestic violence have occurred. The Officer shall also record the statements of neighbours in the vicinity to aid in this assessment.

5. Renotify on 2nd September, 2025.”

4. A copy of the status report along with a report of the Probation Officer of the District, Ghaziabad has been handed over across the board and is taken on record. The Probation Officer has reported that the victim is residing with Petitioner along with their daughter. No incidents of violence or quarrel have been reported by the landlord or the neighbours.

5. The parties state that, with the intervention of common friends and other respectable members of society, Respondent No. 2 has amicably resolved the dispute with the Petitioner and has decided not to pursue the



present FIR against her. Pursuant to this settlement, a Settlement Deed² dated 17th January, 2024, was executed between the Petitioner and Respondent No. 2.

6. A copy of the Deed has been placed on record and perused by the Court. As per its terms, Respondent No. 2 has mutually resolved all disputes and differences with the Petitioner and has agreed to voluntarily give his no objection to the quashing of the subject FIR.

7. The victim, who is present in Court and is identified by the Investigating Officer, confirms that the injury suffered by him was inadvertent and that the Petitioner did not assault him with the intent to kill him. He further states that he is now happily living with his spouse.

8. While this Court ordinarily refrains from quashing cases involving stabbing or offences under Section 307 IPC (109 BNS), in the present case, considering the matrimonial relationship between the parties, their continued cohabitation along with their minor daughter, and the unequivocal statement of Respondent No. 2 that his wife did not assault him with the intent to kill, the probability of securing a conviction appears extremely remote. Accordingly, in view of the victim's categorical stand, this case warrants a departure from the general rule.

9. It is well settled that in the exercise of its inherent powers under Section 482 CrPC (now Section 528 BNSS), the Court may, in appropriate cases, quash proceedings in respect of non-compoundable offences if the parties have reached a genuine settlement and no overarching public interest is adversely affected. The Supreme Court in *Gian Singh v. State of Punjab*

² "Deed"



& Anr.³ has held as follows:

“11. As discussed above, offence punishable under Section 186/332/353 of the IPC are non-compoundable being of serious nature, however, if the Court feels that continuation of criminal proceedings will be an exercise in futility and justice in this case demands that the dispute between the parties is put to an end and peace is restored, it can order for quashing of the FIR or criminal proceedings as it is the duty of the Court to prevent continuation of unnecessary judicial process.

12. In view of the law discussed above, considering the Settlement arrived at between the parties and the statements of respondent no.1 & 2, I am of the considered opinion that this matter deserves to be given a quietus as continuance of proceedings arising out of the FIR in question would be an an exercise in futility.”

[Emphasis added]

10. Further, in **Narinder Singh & Ors. v. State of Punjab & Anr.**,⁴ the Supreme Court held as follows:

“29. In view of the aforesaid discussion, we sum up and lay down the following principles by which the High Court would be guided in giving adequate treatment to the settlement between the parties and exercising its power under Section 482 of the Code while accepting the settlement and quashing the proceedings or refusing to accept the settlement with direction to continue with the criminal proceedings:

29.1. Power conferred under Section 482 of the Code is to be distinguished from the power which lies in the Court to compound the offences under Section 320 of the Code. No doubt, under Section 482 of the Code, the High Court has inherent power to quash the criminal proceedings even in those cases which are not compoundable, where the parties have settled the matter between themselves. However, this power is to be exercised sparingly and with caution.

29.2. When the parties have reached the settlement and on that basis petition for quashing the criminal proceedings is filed, the guiding factor in such cases would be to secure:

(i) ends of justice, or

(ii) to prevent abuse of the process of any court.

While exercising the power the High Court is to form an opinion on either of the aforesaid two objectives.

29.3. Such a power is not to be exercised in those prosecutions which

³ (2012) 10 SCC 303

⁴ (2014) 6 SCC 466



involve heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. Such offences are not private in nature and have a serious impact on society. Similarly, for the offences alleged to have been committed under special statute like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity are not to be quashed merely on the basis of compromise between the victim and the offender.

29.4. On the other hand, those criminal cases having overwhelmingly and predominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes should be quashed when the parties have resolved their entire disputes among themselves.

29.5. While exercising its powers, the High Court is to examine as to whether the possibility of conviction is remote and bleak and continuation of criminal cases would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal cases.”

[Emphasis Supplied]

11. In view of the foregoing, the present petition is allowed and FIR No. 0472/2024 registered at P.S. Madhu Vihar, as well as all consequential proceedings arising therefrom are hereby quashed.

12. The parties shall remain bound by the terms of settlement.

13. Accordingly, the petition is disposed of along with pending application(s).

SANJEEV NARULA, J

SEPTEMBER 23, 2025

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