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

+ CRL.M.C. 1510/2025 & CRL.M.A. 6825/2025

MR SAMEER ALIAS PAPPY ALIAS SAMEER AHMAD

.....Petitioner

Through: Ms. Kalpana Jain, Advocate with
Petitioner in person

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Hemant Mehla, APP for State
with SI Azad Singh Malik, PS Mayur
Vihar
Respondent No. 2 in person

+ CRL.M.C. 1798/2025 & CRL.M.A. 8089/2025

SAMEER ALIAS PAPPY ALIAS SAMEER AHMAD

.....Petitioner

Through: Ms. Kalpana Jain, Advocate with
Petitioner in person

versus

THE STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Hemant Mehla, APP for State
with SI Azad Singh Malik, PS Mayur
Vihar
Respondent No. 2 in person

+ CRL.M.C. 2047/2025 & CRL.M.A. 9201/2025

MR SHAMIM ALAM AND ORS

.....Petitioners



Through: Ms. Kalpana Jain, Advocate with
Petitioner in person

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Hemant Mehla, APP for State
with SI Azad Singh Malik, PS Mayur
Vihar
Respondent No. 2 in person

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
10.07.2025

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1. The present petitions filed under Section 482 of the Criminal Procedure Code, 1973¹ (now Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023²), seek quashing of the following cross FIRs:

(i) In CRL.M.C. 1798/2025: FIR No. 366/2020 dated 17th July, 2020, registered at P.S. Mayur Vihar, PH-1, under Sections 354, 506 and 509 of the Indian Penal Code, 1860,³ against Sameer @ Pappy, at the instance of "RB";

(ii) In CRL.M.C. 2047/2025: FIR No. 434/2020 dated 21st August, 2020, registered at P.S. Mayur Vihar, PH-1, under Sections 509, 506 and 34 of IPC, against Afzal, Ballo and Shamim Alam, at the instance of "M".

(iii) In CRL.M.C. 1510/2025: FIR No. 465/2020 dated 16th September, 2020, registered at P.S. Mayur Vihar, PH-1, under Sections 341 and 506 of

¹ "CrPC"

² "BNSS"

³ "IPC"



IPC, against Sameer @ Pappy, at the instance of Shamim Alam;

2. Briefly stated, the factual matrix is as follows: Mr. Shamim Alam and Mr. Sameer @ Pappy are step brothers, and “RB” and “M” are the wives of Mr. Shamim and Mr. Sameer respectively.

3. FIR No. 366/2020 was registered on 17th July, 2020, on the basis of a complaint filed by “RB.” In her complaint, she narrated that she resided with her husband, Shamim, and their children on the second floor of a residential building situated in Trilokpuri, Mayur Vihar Phase-I, Delhi. Her step brother-in-law, Sameer, and his wife occupied the first floor of the same premises, while her step mother-in-law resided on the ground floor. She alleged that Sameer was a habitual consumer of alcohol and had a history of aggressive and violent behaviour. She further alleged that on 14th July, 2020, during Shamim’s absence, Sameer, under the influence of alcohol approached her from behind and inappropriately touched her by grabbing her waist. She immediately pushed him away and warned that she would raise an alarm if he did not leave, following which Sameer withdrew. On the following day, Sameer’s wife, “M,” came to “RB’s” residence and began threatening her. Upon hearing the commotion, Sameer and his mother also arrived at the scene, whereafter Sameer and his wife allegedly assaulted “RB” and her children. The next day, again in Shamim’s absence, “M” and her mother-in-law once again assaulted “RB” and her children. Consequently, based on the statement of “RB”, FIR No. 366/2020 was registered at P.S. Mayur Vihar Phase-I.

4. On the other hand, FIR No. 434/2020, dated 21st August, 2020, was registered at the instance of “M,” the wife of Sameer. In her complaint, she alleged that Shamim was involved in frequent altercations with her husband



and mother-in-law regarding property-related disputes and had also filed false complaints against them. She further alleged that on 10th August, 2020, Shamim, accompanied by his nephew, Afzal, and his brother-in-law, Ballu, unlawfully entered her residence and began verbally abusing and molesting her. Subsequently, when her mother-in-law intervened, the accused allegedly assaulted her as well and issued threats, demanding that they vacate the premises. It was further alleged that when “M” attempted to resist, the accused physically restrained her, and Shamim threatened her with dire consequences if she did not leave the house. In view of the aforesaid allegations, FIR No. 434/2020 was registered.

5. FIR No. 465/2020 dated 16th September, 2020 was registered on the complaint of Shamim, alleging that Sameer and his mother had been continuously threatening him to sell his property by relying on forged and duplicate documents and had also issued threats to kill him and his wife. He further stated that Sameer, who resides in the same building, is habitually under the influence of alcohol, thereby creating an unsafe and hostile environment for his wife and children. It was also alleged that Sameer had been persistently issuing threats and fabricating false documents in relation to Shamim’s property.

6. In all the above cross FIRs, the chargesheets have been filed against the respective accused persons and the matter is pending consideration of the Trial Court. All of the Petitioners submit that during the pendency of the trial proceedings in the above cases, on the intervention of relatives and respectable persons of society, all of the parties have amicably settled the dispute between themselves. In this regard, the Petitioners in all the cases



submit that they have also executed a Memorandum of Understanding/⁴ Settlement Deed dated 18th February, 2025. The said MoU is executed between all the parties:

- i. Sameer @ Pappy @ Sameer Ahmad, the accused in FIR Nos. 465/2020 and 366/2020;
- ii. “M”, the Complainant in FIR No. 434/2020;
- iii. “RB”, the Complainant in FIR No. 366/2020;
- iv. Shamim Alam, the Complainant in FIR No. 465/2020 and accused in FIR No. 434/2020;
- v. Ballo, accused in FIR No. 434/2020; and
- vi. Afzal Khan, accused in FIR No. 434/2020..

7. As per the MoU, all the complainants, *i.e.*, Shamim, “M” and “RB”, have agreed to settle the matter and seek joint quashing of the litigations arising out of the cross FIRs. A copy of the MoU has been placed on record, and is perused by the Court. In view of this settlement, the Complainants, who are present in Court and identified by the Investigating Officer, have expressed their unequivocal intent not to pursue the FIR proceedings. They have confirmed that their decision to settle the matter is voluntary and made without any undue influence or coercion. The Petitioners have joined the proceedings in person and are duly identified by the Investigating Officer. In light of the amicable resolution between the parties, the Petitioners seek quashing of the subject FIRs and all proceedings arising therefrom.

8. The Court has considered the submissions of the parties. While the offence under Section 354 of the IPC is non-compoundable, Sections 341, 506, 509 are compoundable by the person restrained, the person intimidated,

⁴ “MoU”



and the woman insulted or whose privacy was intruded upon, with the permission of the Court. 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 & Anr.**⁵ 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]

9. Further, in **Narinder Singh & Ors. v. State of Punjab & Anr.**,⁶ 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

⁵ (2012) 10 SCC 303

⁶ (2014) 6 SCC 466



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 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]

10. Although the offence under Section 354 of the IPC cannot be treated as strictly ‘*in personam*’, and touches upon public concerns rather than being confined to individual grievances, the Court must also account for the practical realities of securing a conviction in the present case. The Supreme Court has consistently held that in cases where the complainant has entered into a voluntary and *bona fide* settlement, and is no longer inclined to support the prosecution, the prospect of securing a conviction becomes exceedingly remote. In such circumstances, continuing the prosecution may



not only prove futile, but would also serve no worthwhile public interest. The Complainants in the present case have categorically expressed their unwillingness to pursue the matter further and has confirmed the settlement as voluntary and devoid of any coercion. Given this background, the continuation of criminal proceedings would amount to an empty formality, adding to the burden of the justice system and consuming public resources unnecessarily. Having regard to the totality of circumstances, and in view of the legal principles laid down by the Supreme Court, this Court finds the present case to be an appropriate one for exercise of jurisdiction under Section 482 of the Cr.P.C. to secure the ends of justice.

11. However, keeping in mind the fact that the State machinery has been put to motion, the ends of justice would be served if the Petitioners are put to cost.

12. In view of the foregoing, the present petitions are allowed and FIR No. 465/2020, FIR No. 366/2020 and FIR No. 434/2020, all registered at P.S. Mayur Vihar PH-1 are quashed, subject to payment of a cost of INR 2,500/- each by the Petitioners to the Delhi Police Welfare Fund, within a period of six weeks from today. The proof of payment of cost be submitted with the concerned IO.

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

14. Accordingly, the petitions are disposed of along with pending applications.

SANJEEV NARULA, J

JULY 10, 2025/ab