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

+ **CRL.M.C. 1908/2025 & CRL.M.A. 8601/2025**

BABU LAL MEENA

.....Petitioner

Through: Mr. Jagdish Prasad, Ms. Savita Rani,
Advocates with Petitioner in person

versus

STATE OF NCT & ANR.

.....Respondents

Through: Mr. Hemant Mehla, APP with SI
Sukhpal Singh, PS Khajoori Khas,
Delhi
Mr. Vivek Pathak, Ms. Urvashi Pal,
Advocates for R-2 with Respondent
No. 2 in person

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

11.07.2025

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1. The present petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (formerly Section 482 of the Code of Criminal Procedure, 1973²) seeks quashing of FIR No. 120/2025³ dated 21st February, 2025, registered under Section 115 (2) of the Bharatiya Nyaya Sanhita (BNS), 2023⁴ and Section 75 of the Juvenile Justice (Care and Protection of Children)⁵ Act, 2015 at P.S. Khajuri Khas and all other proceedings emanating therefrom.

¹ "BNSS"

² "Cr.P.C."

³ "the impugned FIR"

⁴ "BNS"



2. Briefly stated, the case of the prosecution is that a complaint was received on 18th February, 2025, alleging that the Petitioner, a school teacher, had assaulted Respondent No. 2, a minor student, resulting in minor bleeding from his left ear. The said complaint led to the registration of the impugned FIR.

3. The parties have now resolved all their disputes and differences amicably, of their own volition and free will, without any coercion, undue influence or pressure. A Settlement Deed dated 11th March, 2025, has been executed by Petitioner No. 1 and the mother of Respondent No. 2. As per the terms of the settlement, the mother of Respondent No. 2 agreed not to pursue the impugned FIR against the Petitioner. A copy of the Settlement Deed is on record.

4. In light of the amicable resolution and the settlement between the parties, they now jointly seek quashing of the impugned FIR through the present petition.

5. The parties present before the court are duly identified by the Investigating Officer. The mother of Respondent No. 2 confirms the terms of the settlement and gives her no objection to the quashing of the impugned FIR.

6. The Court has considered the afore-noted facts. Notably, offence under Section 75 of JJ Act is non-compoundable while offence under Section 115(2) of BNS is compoundable by the person to whom the hurt is caused.

7. It is well-established that the High Courts, in exercise of their powers under Section 528 of BNSS (formerly 482 of Cr.P.C.), can compound

⁵ “JJ Act”



offences which are non-compoundable on the ground that there is a compromise between the accused and the complainant. In *Narinder Singh & Ors. v. State of Punjab & Anr.*, the Supreme Court laid down guidelines for High Courts while accepting settlement deeds between parties and quashing the proceedings. The relevant observations in the said decision read as under:

“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 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]

8. Similarly, in the case of *Parbatbhai Aahir & Ors. v. State of Gujarat & Anr.*, the Supreme Court had observed as under:

“16. The broad principles which emerge from the precedents on the subject, may be summarised in the following propositions:

16.1. Section 482 preserves the inherent powers of the High Court to prevent an abuse of the process of any court or to secure the ends of justice. The provision does not confer new powers. It only recognises and preserves powers which inhere in the High Court.

16.2. The invocation of the jurisdiction of the High Court to quash a first information report or a criminal proceeding on the ground that a settlement has been arrived at between the offender and the victim is not the same as the invocation of jurisdiction for the purpose of compounding an offence. While compounding an offence, the power of the court is governed by the provisions of Section 320 of the Code of Criminal Procedure, 1973. The power to quash under Section 482 is attracted even if the offence is non-compoundable.

16.3. In forming an opinion whether a criminal proceeding or complaint should be quashed in exercise of its jurisdiction under Section 482, the High Court must evaluate whether the ends of justice would justify the exercise of the inherent power.

16.4. While the inherent power of the High Court has a wide ambit and plenitude it has to be exercised (i) to secure the ends of justice, or (ii) to prevent an abuse of the process of any court.

16.5. The decision as to whether a complaint or first information report should be quashed on the ground that the offender and victim have settled the dispute, revolves ultimately on the facts and circumstances of each case and no exhaustive elaboration of principles can be formulated.

16.6. In the exercise of the power under Section 482 and while



dealing with a plea that the dispute has been settled, the High Court must have due regard to the nature and gravity of the offence. Heinous and serious offences involving mental depravity or offences such as murder, rape and dacoity cannot appropriately be quashed though the victim or the family of the victim have settled the dispute. Such offences are, truly speaking, not private in nature but have a serious impact upon society. The decision to continue with the trial in such cases is founded on the overriding element of public interest in punishing persons for serious offences.

16.7. As distinguished from serious offences, there may be criminal cases which have an overwhelming or predominant element of a civil dispute. They stand on a distinct footing insofar as the exercise of the inherent power to quash is concerned.

16.8. Criminal cases involving offences which arise from commercial, financial, mercantile, partnership or similar transactions with an essentially civil flavour may in appropriate situations fall for quashing where parties have settled the dispute.

16.9. In such a case, the High Court may quash the criminal proceeding if in view of the compromise between the disputants, the possibility of a conviction is remote and the continuation of a criminal proceeding would cause oppression and prejudice; and

16.10. There is yet an exception to the principle set out in propositions 16.8. and 16.9. above. Economic offences involving the financial and economic well-being of the State have implications which lie beyond the domain of a mere dispute between private disputants. The High Court would be justified in declining to quash where the offender is involved in an activity akin to a financial or economic fraud or misdemeanour. The consequences of the act complained of upon the financial or economic system will weigh in the balance.”

[Emphasis Supplied]

9. The allegations in the present case relate to physical harm caused to a minor student, which is a matter requiring careful consideration. During the proceedings, the Court interacted with the mother of the child, who confirmed that the incident did not result in any permanent impairment or



serious injury. She also stated that the Petitioner bore the expenses for the child's medical treatment and has expressed sincere remorse for the incident. The Petitioner, a school teacher, has explained that the incident occurred inadvertently in the course of managing classroom discipline, and was the result of a misunderstanding. He has tendered an apology, which has been accepted by the child's mother. In view of the above, and considering the voluntary nature of the settlement, the absence of lasting harm, and the resolution arrived at between the parties, the Court is of the opinion that continuing the criminal proceedings would serve no useful purpose and that the present case is fit to exercise jurisdiction under Section 528 of BNSS.

10. In view of the above, the present petition is disposed of with the following directions:

10.1 The impugned FIR No. 120/2025, dated 21st February, 2025, registered at P.S. Khajuri Khas and all consequential proceedings arising therefrom are hereby quashed

10.2 Having regard to the nature of allegations, this Court finds it appropriate to direct the Petitioner to undertake community service as a measure of accountability and reflection. The Petitioner is accordingly directed to perform 50 hours of community service at Lok Nayak Jai Prakash Narayan Hospital within a period of 30 days. The Petitioner shall report to the Medical Superintendent of Lok Nayak Jai Prakash Narayan Hospital on 21st July, 2025, for instructions and assignment of duties. Upon completion of the said hours, a certificate confirming the completion of community service shall be issued by the Medical Superintendent and the same shall be filed with the Registry. In the event of any absenteeism, default, or misconduct on the part of the Petitioner during the course of the



community service, the same shall be immediately reported by the Medical Superintendent to the concerned SHO, who shall, in turn, inform the APP for placing the matter before this Court and seeking appropriate orders, including revival of the FIR.

11. The parties shall abide by the terms of the settlement.

12. With the above directions the present petition along with pending application is disposed of.

13. Copy of the order be sent to the concerned Medical Superintendent, for necessary information and compliance.

SANJEEV NARULA, J

JULY 11, 2025

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