



2025:DHC:11644



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
% *Date of Decision: December 17th, 2025*

+ **CRL.M.C. 3743/2025 & CRL.M.A. 16422/2025**

RAMYASH SHARMA & ORS.Petitioners

Through: Mr. Piyush Lakhera, Adv.
(through VC)
Petitioners (through VC)

versus

STATE GOVT OF NCT OF DELHI
& ANR.

.....Respondents

Through: Mr. Ritesh Kumar Bahri,
APP for the State
SI Sachin, PS- BHD
Nagar
Mr. Vishal Tiwari, Adv.
for R2 (through VC)
R2 (through VC)

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

AMIT MAHAJAN, J. (Oral)

1. The present petition is filed seeking quashing of FIR No. 107/2022 dated 09.02.2022, registered at Police Station Baba Haridas Nagar, for offences under for offence under Sections 3(1)(r)(s) and 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 ('**SC & ST Act**') and Sections 509/506 of the Indian Penal Code, 1860 ('**IPC**').

2. It is averred that the petitioners had spoken caste based remarks against the Respondent No. 2 and his family members. It is alleged that the petitioners also trespassed the house of Respondent No. 2, whereafter, the petitioners started to abuse Respondent No. 2 and his family and forcefully stole an amount

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of ₹20,000/- along with other precious items. Pursuant to a complaint given by Respondent No. 2 the present FIR was registered.

3. The learned counsel for the petitioners submits that the petitioners had made no caste based remarks against Respondent No.2. He submits that the petitioners have unconditionally apologized for their behaviour and undertake to not indulge in any such activity in future.

4. The present petition is filed on the ground that the parties have settled all their disputes with the intervention of their families and elders from the neighbourhood, out of their own free will, without any force, pressure, coercion, inducement, compulsion, misrepresentation, or threat.

5. The complainant is stated to be 72 years of age and suffering from various ailments. This Court by order dated 16.10.2025 had directed the Investigating Officer to record the statement of Respondent No. 2 and submit a report on his medical condition.

6. The status report in compliance of the same has been filed. It is stated that Respondent No. 2 is suffering from brain haemorrhage due to which left side of his body is paralyzed and he is unable to walk or move independently. He is also stated to be suffering from various other ailments.

7. Respondent No. 2 in his statement stated that the dispute has since been resolved and he does not wish to pursue any proceedings arising out of the present FIR and has no objection of the same is quashed. He submits that he does not have any

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remaining grievance or grudge against the petitioners.

8. At the time of recording his statement the daughter-in-law of Respondent No. 2 was also present who stated that Respondent No. 2 has voluntarily given a statement that he does not wish to pursue any proceedings.

9. It is pointed out that Petitioner No. 1's daughter and Respondent No. 2's son were married to each other and were embroiled in a matrimonial dispute. Their children since have also resolved all their disputes and have entered into settlement dated 25.07.2024 before Counselling Cell, Family Courts and have also obtained a decree of divorce by mutual consent.

10. The parties have, thus, decided to put a quietus to the acrimony between them.

11. The parties appear through video-conferencing and have been identified by the Investigating Officer.

12. Offence under Sections 3(1)(r)(s) and 3(2)(v) of the SC & ST Act are non-compoundable in nature whereas offences under Sections 506/509 are compoundable in nature.

13. It is well settled that the High Court while exercising its powers under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') (erstwhile section 482 of the Code of Criminal Procedure, 1973) can quash offences which are non-compoundable to secure the ends of justice on the ground that there is a compromise between the accused persons and the complainant. The Hon'ble Apex Court has laid down parameters and guidelines for High Court while accepting settlement and quashing the proceedings. In *Narinder Singh & Ors. v. State of*

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Punjab & Anr. : (2014) 6 SCC 466, the Hon'ble Apex Court has observed 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 relations hip 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)

14. Similarly, in ***Parbatbhai Aahir & Ors v. State of Gujarat & Anr. : (2017) 9 SCC 641***, the Hon’ble Apex Court has 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)

15. Even though serious allegations have been made in the present FIR, however, this Court cannot ignore that Respondent No.2 has stated that certain allegations were made on instigation and misunderstanding. Moreover, once the complainant does not wish to pursue the proceedings, it is improbable that the trial would lead to any conviction. In such circumstances, the continuance of the proceedings would be an abuse of the process of Court.

16. Keeping in view the nature of dispute and that the parties have amicably entered into a settlement, this Court feels that no useful purpose would be served by keeping the dispute alive and continuance of the proceedings would amount to abuse of the process of Court and would lead only to further harassment to the parties. The parties have decided to move on in life and the proceedings would only lead further ill will to foster. I am of the opinion that this is a fit case to exercise the power under Section 528 of BNSS.

Signature Not Verified 17. In view of the above, FIR No. 107/2022 and all

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consequential proceedings arising therefrom are quashed.

18. The present petition is allowed in the aforesaid terms.

19. Pending application(s) also stand disposed of.

AMIT MAHAJAN, J

DECEMBER 17, 2025

“SS”