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

+ **CRL.M.C. 3808/2025 & CRL.M.A. 16689-16690/2025**

RAVI KUMAR

.....Petitioner

Through: Mr. Pankaj Kumar, Advocate.

versus

THE STATE GOVT NCT OF DELHI AND ANR.Respondents

Through: Mr. Hemant Mehla, APP for State
with SI Anup Rana, PS-Hari Nagar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

22.09.2025

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1. The present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (corresponding to Section 482 of the Code of Criminal Procedure, 1973²) seeks quashing of FIR No. 532/2018 dated 11th May, 2018, registered under Sections 323/354/354B/509/506 of the Indian Penal Code, 1860³ at P.S. Hari Nagar and all consequential proceedings emanating therefrom.

2. Briefly stated, the case of the prosecution, as set out in the complaint, is that on 6th November, 2018 at about 11:30 PM, the complainant was present at her residence along with her family members. At that time, her sister-in-law and the Petitioner, Ravi Kumar, who is the brother of her sister-in-law, were also present in the house and were consuming liquor. It is

¹ "BNSS"

² "CrPC"

³ "IPC"



alleged that while consuming liquor, the Petitioner, in concert with the sister-in-law, started hurling abuses in a loud and filthy manner. When the complainant and her mother intervened and objected to such behaviour, the Petitioner is stated to have assaulted them. It is alleged that the Petitioner pulled her hair, tore apart the T-shirt she was wearing and even threatened her and her family members. The following day, i.e., on 7th November, 2018, the complainant went to the police station and got her complaint registered. Consequently, based on the Complainant's statement, the subject FIR was registered.

3. Now the parties have amicably resolved the matter, and Respondent No. 2 has decided not to pursue the present FIR against the Petitioner. In furtherance, a Compromise Deed dated 16th May, 2025, has been executed, a copy whereof has been placed on record.

4. As per settlement terms, Respondent No. 2 has mutually resolved all disputes and differences with the Petitioner and has voluntarily given her no objection to the quashing of the FIR. The complainant, who is present in Court and has been duly identified by the Investigating Officer, has unequivocally stated that she does not wish to pursue the matter. She affirms that her decision is voluntary, informed, and free from any coercion or pressure. In view of this settlement, the Petitioner prays for quashing of the FIR and all proceedings arising therefrom.

5. The Court has considered the submissions of the parties. While the offences under Section 354 and 354B of IPC are non-compoundable, the offences under Sections 323, 506 and 509 of IPC are compoundable in certain cases.

6. Nonetheless, the legal position is well settled that the High Court, in



exercise of its inherent jurisdiction under Section 482 CrPC (corresponding to Section 528 BNSS), may quash proceedings even in respect of non-compoundable offences, where the parties have reached a genuine settlement, the complainant is no longer willing to support the prosecution, and no overriding public interest would be undermined by terminating the proceedings. The Supreme Court in ***Gian Singh v. State of Punjab & Anr.***⁴ 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]

7. Further, in ***Narinder Singh & Ors. v. State of Punjab & Anr.***,⁵ 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

⁴ (2012) 10 SCC 303

⁵ (2014) 6 SCC 466



***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. Although the offences under Sections 354 and 354B of the IPC are not strictly ‘*in personam*’, and they touch 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.



9. The Complainant/Respondent No. 2 has categorically expressed her 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.

10. 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 appropriate for exercise of jurisdiction under Section 528 of BNSS (corresponding to Section 482 of the CrPC) to secure the ends of justice.

11. In view of the foregoing, the present petition is allowed and FIR No. 532/2018 dated 11th May, 2018, registered under Sections 323/354/354B/509/506 of IPC at P.S. Hari Nagar and all consequential proceedings emanating therefrom are hereby quashed.

12. However, since the State machinery was set in motion based on the impugned FIR, it is appropriate to impose costs on the Petitioner. Accordingly, the Petitioner is directed to deposit INR 5,000/- with the Delhi Police Welfare Fund within a period of four weeks from today.

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

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

SANJEEV NARULA, J

SEPTEMBER 22, 2025/nk