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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5783/2025**
ANAND BANSAL & ORSPetitioners

Through: Mr. Satnarain Sharma, Ms. Deepika Tiwari, Ms. Ashima Sharma and Mr. Aakash Yadav, Advocates.

versus

THE STATE OF NCT OF DELHI AND ANRRespondents
Through: Mr. Hemant Mehla, APP for State along with SI Divya, PS Model Town.
Mr. Hans Raj Singh, Advocate for Respondent No. 2

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

% **ORDER**
21.08.2025

1. The present petition filed 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. 338/2024 dated 7th May, 2025, registered under Sections 354, 354A, 312, 506, 509 and 34 of the Indian Penal Code, 1860³ at P.S. Model Town, Delhi and all proceedings emanating therefrom.

2. Briefly stated, the case of the prosecution against the Petitioner is as

¹ "BNSS"

² "CrPC"

³ "IPC"



follows:

2.1. An FIR was registered pursuant to an application under Section 156(3) of CrPC, filed by Ms. 'X' (the Complainant/Respondent No. 2), wherein she states that she used to reside with her parents, brother, and sister-in-law. In her complaint, she alleges that within two to three months of her marriage, the Complainant's sister-in-law, Preeti Bansal (Petitioner No. 2), began quarrelling with her husband and parents-in-law. She further alleges that Preeti's father, Anand Bansal (Petitioner No. 1), mother, Santosh Bansal (Petitioner No. 3), and brother, Himanshu Bansal (Petitioner No. 4), supported Preeti in these quarrels.

2.2. The Complainant further alleges that in November 2022, when Preeti's relatives visited her parents' residence, they abused her and her family members. On one such occasion, Anand Bansal allegedly pushed the Complainant by placing his hand on her chest and also abused and harassed both her and her mother. She further alleges that Himanshu Bansal sometimes demanded sexual favours from the Complainant.

2.3. Additionally, the Complainant alleges that Anand's driver, Imran (Petitioner No. 5), often accompanied the other Petitioners during these visits and also hurled abuses. On 29th November 2022, when Preeti had allegedly returned to her parental home, taking away some jewellery and cash from her matrimonial residence, Imran was present with her at that time as well. Further, at the time when she returned back to her parental home, Preeti was pregnant and she used to threaten the Complainant's father that she would abort the child, which she eventually did on her own will.

3. The parties state that, with the intervention of families, relatives and common friends, the parties have amicably resolved all their disputes and



differences and Respondent No. 2, resultantly, has decided not to pursue the present FIR against the Petitioners. Pursuant to this settlement, a Memorandum of Understanding⁴ dated 6th July, 2025, was executed between the parties.

4. A copy of the MoU has been placed on record and perused by the Court. As per its terms, the parties have settled all disputes without any pressure, coercion or undue influence. Further, the parties have agreed to withdraw all proceedings pending before various Courts. It is also recorded that Respondent No. 2 has voluntarily given her no objection to the quashing of the subject FIR.

5. In view of the settlement, the Complainant/Respondent No. 2, who appears before the Court in person and has been duly identified by the Investigating Officer, confirms the settlement and unequivocally states that she does not wish to pursue the proceedings in the impugned FIR. To this effect, her Affidavit/No Objection Certificate is duly placed on record. The Petitioners, barring Petitioner No.1, have appeared before the Court and have been duly identified by the Investigating Officer. It is explained that Petitioner No. 1 has undergone a surgical procedure and hence, is unable to appear before the Court. Nonetheless, the Complainant has given her consent to quash the proceedings *qua* him as well. In light of the above, the parties jointly request for quashing of the impugned FIR and all proceedings emanating therefrom.

6. The Court has considered the submissions of the parties. While the offences under Sections 354 and 354A of IPC are non-compoundable, Section 312 of IPC is compoundable with the permission of the Court.

⁴ “MoU”



7. It is well settled that in the exercise of its inherent powers under Section 482 of CrPC (corresponding to Section 528 of 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]

8. 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 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*

⁵ (2012) 10 SCC 303

⁶ (2014) 6 SCC 466



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]

9. Although the offences under Sections 354, 354A and 312 of IPC cannot be treated as 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.



10. The Complainant, who has appeared before the Court in person, 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. 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 528 of BNSS (corresponding to Section 482 of CrPC) to secure the ends of justice.

11. However, since the State machinery was set in motion based on the impugned FIR, it is appropriate to impose costs on the Petitioners. Accordingly, each of the Petitioners are directed to deposit INR 5,000/- with the Delhi Police Welfare Fund, within a period of 4 weeks from today.

12. In view of the foregoing, the present petition is allowed and FIR No. 338/2024 dated 7th May, 2025, registered under Sections 354, 354A, 312, 506, 509 and 34 of IPC at P.S. Model Town, Delhi and all proceedings emanating therefrom are hereby quashed.

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

AUGUST 21, 2025/MK