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

+ CRL.M.C. 5806/2025, CRL.M.A. 24830/2025

SUYASH KANSAL

.....Petitioner

Through: Mr. Siddharth Mullick and
Mr. Umesh Kumar, Advocates with
Petitioner in person.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Hemant Mehla, APP for State
with Mr. Vipin Kumar, SI, PS-
Keshav Puram.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

22.08.2025

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1. The present petition 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. 347/2024³ registered under Sections 354D of the Indian Penal Code, 1860⁴ at P.S. Keshav Puram and all proceedings emanating therefrom.

2. The impugned FIR was lodged based on the basis of a complaint by Respondent No. 2, who alleged that her marriage had initially been fixed with the Petitioner on 3rd April 2022 but was subsequently called off due to misunderstandings. According to her, while the parties mutually agreed to

¹ "BNSS"

² "Cr.P.C"

³ "the impugned FIR"

⁴ "IPC"



settle the expenses incurred and to maintain no further contact, whether in person, over the phone, or through social media, the Petitioner did not adhere to this understanding. It was alleged that he continued contacting her family members, loitered around the vicinity of her residence, spoke disparagingly of her to neighbours and followed her despite repeated objections. She further claimed that although the Petitioner had given a written assurance that such conduct would cease, he persisted with the behaviour complained of.

3. The parties state that with the intervention of common friends, colleagues and other respectable members of society, Respondent No. 2 has amicably resolved the dispute with the Petitioner. Pursuant to this settlement, the Petitioner and Respondent No. 2 executed a Compromise/Settlement Deed dated 12th July, 2025 wherein Respondent No. 2 has recorded that she has resolved all disputes and differences with the Petitioner and has agreed to voluntarily give her no objection to the quashing of the impugned FIR.

4. Respondent No. 2, who is present in person and has been duly identified by the Investigating Officer, states that after the registration of the impugned FIR, the Petitioner has neither contacted her nor made any attempt to do so. She confirms that her decision to amicably resolve the matter is entirely voluntary and has been made without any pressure or coercion. She further states that the Petitioner has extended an apology, which she has duly accepted. She also states that she desired to move on with her life and she affirms that she has no objection to the quashing of the impugned FIR.

5. The Court has considered the submissions of the parties. The offence



under Section 354D of IPC is non-compoundable. It is well-settled that in the exercise of its inherent powers under Section 482 Cr.P.C (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 exercise in futility.”

Emphasis supplied]

6. 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

⁵ (2012) 10 SCC 303

⁶ (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]

7. Although the offence under Section 354D of the IPC cannot be treated as strictly ‘*in personam*’, and it 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



Complainant in the present case has categorically expressed her unwillingness to pursue the matter further and has confirmed the settlement as voluntary and devoid of any coercion and expresses her desire to move on in her life. 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.

8. However, since the chargesheet has been filed and State machinery has been set into motion, justice would be served if the Petitioner is put to cost.

9. In view of the foregoing, the present petition is allowed and the impugned FIR No. 347/2024 as well as all consequential proceedings arising therefrom are hereby quashed, subject to payment of INR 10,000/- to be deposited by the Petitioner with Delhi Police Welfare Fund.

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

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

SANJEEV NARULA, J

AUGUST 22, 2025

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