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

+ CRL.M.C. 6567/2025 & CRL.M.A. 27678/2025

AJAB SINGH & ORS.

.....Petitioners

Through: Mr. Ram Kumar, Advocate with
Petitioners in person

versus

STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Mukesh Kumar, APP for the
State with SI Sachin, PS Khajuri Khas
Ms. Meenakshi Singhal, Ms. Anjana
Kumari, Advocates for R-2

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

17.10.2025

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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. 20/2008, registered under Sections 420, 468, 467, 471, 506 and 120-B of the Indian Penal Code, 1860³ at P.S. Khajuri Khas and all consequential proceedings emanating therefrom.

2. Briefly, the case of the Prosecution against the Petitioners arises from a complaint filed by Respondent No. 2, alleging that she is the owner of a property purchased from Petitioner Nos. 2 and 3 by way of a General Power of Attorney and Agreement to Sell. It is stated that Petitioner Nos. 2 and 3

¹ "BNSS"

² "CrPC"



had acquired the property from Petitioner No. 1, who had earlier purchased it from one Madhu Bala. The Complainant alleges that when she commenced construction on the subject property, Madhu Bala obstructed the work, claiming that she had not sold the property to anyone. Upon being informed by the Complainant that the property had been purchased from Petitioner Nos. 2 and 3, Madhu Bala categorically denied having transferred the property to them. It is alleged that the Petitioners, acting in concert, are attempting to forcibly take possession of the subject property. On the basis of this complaint, the subject FIR was registered. Upon completion of investigation, chargesheet was filed against the Petitioners, while the name of accused Madhu Bala was reflected in Column No. 12 of the chargesheet.

3. The Petitioners state that Respondent No. 2 has amicably resolved the dispute with them and has decided not to pursue the present FIR. Pursuant to this settlement, a Compromise Deed dated 10th July, 2025, has been executed between the parties, copy whereof has been placed on record and perused by the Court. As per its terms, the Petitioners have agreed to pay a total sum of INR 3,00,000/- to Respondent No. 2 as final settlement amount. In furtherance thereof, Respondent No. 2 has mutually resolved all disputes and differences with the Petitioners, and has agreed to voluntarily give her no objection to the quashing of the subject FIR.

4. In view of the settlement, the Complainant, who appears before the Court in person and is identified by the Investigating Officer, unequivocally states that she does not wish to pursue the FIR proceedings. She confirms that her decision to settle the matter is voluntary and made without any undue influence or coercion. She further confirms the receipt of the entire

³ “IPC”



settlement amount from the Petitioners, as per the terms of the Compromise Deed executed between them. In light of the amicable resolution between the parties, the Petitioners seek quashing of the subject FIR and all proceedings arising therefrom.

5. The Court has considered the submissions of the parties. While the offences under Sections 467, 468, 471 and 120-B of the IPC are non-compoundable, Sections 420 and 506 of the IPC are compoundable in certain cases.

6. It is well settled that in the exercise of its inherent powers under Section 482 CrPC (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.**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 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

⁴ (2012) 10 SCC 303

⁵ (2014) 6 SCC 466



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. 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. 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.

9. In view of the foregoing, the present petition is allowed and FIR No. 20/2008, P.S. Khajuri Khas, Delhi and all consequential proceedings emanating therefrom are hereby quashed.

10. However, since the State machinery was set in motion based on the impugned FIR, it is appropriate to impose costs on the Petitioners. Accordingly, the Petitioners are directed to deposit INR 2,500/- each with the Delhi Police Welfare Fund within a period of four weeks from today. Proof of payment be furnished to the concerned IO.

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

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

SANJEEV NARULA, J

OCTOBER 17, 2025

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