



\$~106 & 94

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

+ W.P.(CRL) 3101/2025 & CRL.M.A. 28618/2025

SOHANVEER

.....Petitioner

Through: Mr. Kishan Singh Chauhan, Advocate
along with Petitioner in person

versus

STATE(NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel for
the State
Ms. Shweta Singh, Advocate for R-2
with R-2 in person

+ W.P.(CRL) 3077/2025 & CRL.M.A. 28439/2025

MANJIT KUMAR MEHRA

.....Petitioner

Through: Ms. Shweta Singh, Advocate with
Petitioner in person

versus

THE STATE(NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Rahul Tyagi, ASC for the State
with Mr. Sangeet Sibou, Mr.
Abhishek Tomer, Mr. Anikait Kr.
Singh, Advocates
Mr. Kishan Singh Chauhan, Advocate
for R-2 with R-2 in person

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

22.09.2025

%

1. These petitions under Article 226 of the Constitution of India read
with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹

¹ "BNSS"



(corresponding to Section 482 of the Code of Criminal Procedure, 1973²), seek quashing of cross FIRs, arising from the same incident. The details of the FIRs are as under:

(i) In W.P.(CRL) 3101/2025 - FIR No. 338/2025 dated 17th July, 2025 under Section 118(1) of the Bharatiya Nyaya Sanhita, 2023³, registered at P.S. Malviya Nagar on the complaint of Manjit Kumar Mehra against the petitioner Sohanveer; and

(ii) In W.P.(CRL) 3077/2025 - FIR No. 339/2025 dated 17th July, 2025 under Sections 115(2) & 126(2) of BNS, registered at P.S. Malviya Nagar on the complaint of Sohanveer against the petitioner Manjit Kumar Mehra.

3. The allegation in FIR No. 338/2025 is that on 16th July, 2025, around 7:00 PM, while the complainant Manjit Kumar Mehra was at Satpula Lake, Chirag Delhi, the petitioner Sohanveer asked him to fetch water. On refusal, Sohanveer allegedly abused and assaulted him with the help of associates. During the altercation, Sohanveer is said to have attacked the complainant with a sharp object, inflicting a bleeding injury on his neck, whereupon the assailants fled.

4. Conversely, FIR No. 339/2025 records that on the same evening, at the same spot, Sohanveer was sitting with friends when Manjit arrived and sat nearby. After a brief exchange, Manjit allegedly left and returned 8-10 minutes later, this time assaulting him with a sharp object. In blocking the blow, Sohanveer sustained an injury on his left hand. He claims that Manjit further assaulted him when he attempted to leave. He was thereafter taken to Madan Mohan Malviya Hospital for medical attention.

² “CrPC”

³ “BNS”



5. The parties, with the intervention of family members and well-wishers, engaged in dialogue and succeeded in resolving their disputes. What began as a confrontation has now transformed into a settlement. The parties have executed a Compromise Deed dated 4th September, 2025, recording their decision to put an end to the litigations. A copy of the deed has been placed on record and perused by the Court.

6. Under the terms of the said Compromise Deed, both complainants, Manjit Kumar Mehra and Sohanveer, have mutually undertaken to withdraw all allegations levelled against each other and to jointly seek quashing of proceedings arising out of the cross-FIRs.

7. Both complainants, who are present in Court in person and are duly identified by the Investigating Officer as well as by their respective counsel, have expressed their unequivocal intent not to pursue the FIR proceedings. In support of their stand, both complainants have filed Affidavits/No-Objection Certificates, which are annexed with the petitions and have been examined by the Court. They further confirm that they are not acting under any undue influence, pressure, or coercion, and that the decision to settle the matter has been taken voluntarily.

8. The Court has considered the submissions advanced by the parties. It is true that while the offences alleged under Sections 115(2) and 126(2) of the BNS are compoundable, the offence under Section 118(1) of the BNS is not. However, it is well settled that in the exercise of its inherent powers under Section 482 CrPC (corresponding to Section 582 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 clarified that even non-compoundable offences can be quashed on the basis of a settlement between the parties if the circumstances so warrant. The relevant portion of the judgment states:

“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.”

9. 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 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

⁴ (2012) 10 SCC 303

⁵ (2014) 6 SCC 466



either of the aforesaid two objectives.”

[Emphasis Supplied]

10. Although the offence under Section 118(1) BNS cannot be viewed strictly as ‘*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 where the chances of conviction are remote due to an amicable settlement between the parties, the Court should consider whether continuing the prosecution would serve any meaningful purpose.

11. Since the Complainants have entered into a voluntary and genuine settlement, and are unwilling to pursue the case, the likelihood of conviction diminishes significantly. Thus, considering the totality of circumstances, the Court is of the view that allowing the prosecution of the impugned FIRs to continue would serve no useful purpose. It would not only be a waste of judicial time but would lead to an unnecessary burden on the State Exchequer. In light of the settled legal position, the present case is fit for quashing under Section 528 of BNSS (corresponding to Section 482 CrPC).

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

13. In view of the foregoing, FIR No. 338/2025 under Section 118(1) of the Bharatiya Nyaya Sanhita, 2023, and FIR No. 339/2025 under Sections 115(2) & 126(2) of the BNS, both registered at P.S. Malviya Nagar, Delhi, are quashed. Consequently, all proceedings emanating from the above two



FIRs are also quashed.

14. It is expected that the parties shall abide by the terms of settlement.

15. The petitions are disposed of accordingly along with any pending application(s).

SANJEEV NARULA, J

SEPTEMBER 22, 2025/ab