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

+ CRL.M.C. 7096/2025, CRL.M.A. 29769/2025

SUSHILA AND ANR

.....Petitioners

Through: Mr. Sahil Malik, Mr. Sahil Lakra and
Mr. Aditya Jain, Advocates.

versus

THE STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Hemant Mehla, APP for State
with SI Ajay Kumar, PS-Nangloi.
Mr. Aditya Jain and Ms. Tanisha
Malik, Advocates for Prosecutrix.

+ CRL.M.C. 7102/2025, CRL.M.A. 29831/2025

USHA RANI AND ORS

.....Petitioners

Through: Mr. Aditya Jain and Ms. Tanisha
Malik, Advocates.

versus

THE STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Sahil Malik, Mr. Sahil Lakra and
Mr. Aditya Jain, Advocates for R-2.
Mr. Hemant Mehla, APP for State
with SI Surender Singh and SI
Jitender Singh, SI, PS-Nangloi.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **08.10.2025**

1. The present petitions have been filed under Section 482 of Criminal



Procedure Code, 1973¹ (now Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023²), seeking quashing of cross FIRs, the details of which are as follows:

- (i) CRL.M.C. 7096/2025 - FIR No. 574/2023 dated 30th June, 2023 under Sections 354/354B/323/506/34 of the Indian Penal Code, 1860³, registered at P.S. Nangloi, Delhi, on a complaint lodged by U;
- (ii) CRL.M.C. 7102/2025 - FIR No. 896/2023 dated 26th November, 2023, under Section 323/509/34 of IPC, registered at P.S. Nangloi, Delhi, on a complaint lodged by S.

2. The case of the U (FIR No. 574/2023) is that on 9th April 2023, she visited the office of one Azad Singh at Swam Park, Mundka, in connection with her child's school admission. It is alleged that during her visit, Dushyant Lakra, son of Azad Singh, approached her from behind, misbehaved with her by touching her inappropriately, and tore her clothes. When she resisted, he allegedly assaulted her, hurled abuses, and threatened her with dire consequences. It is further alleged that shortly thereafter, Sushila Devi (mother of Dushyant) arrived at the spot and assaulted the complainant with a stick. On the basis of her subsequent written statement and the medical examination the FIR was registered under Sections 354/323/506/34 IPC. On completion of investigation, chargesheet was filed wherein Dushyant was charge-sheeted for offences under Sections 354/354B/323/506/34 and Sushila Devi under Sections 323/506/34 of IPC.

3. In contrast, the case of S (FIR No. 896/2023) is that on 9th April, 2023, S, along with her daughter-in-law, returned from a *Satsang* to her

¹ "CrPC"

² "BNSS"



office in Mundka, where she observed Usha verbally abusing and quarrelling with their employee Rajesh. When S asked her to leave, Usha began abusing her, leading to a scuffle. S's son, Dushyant, who was also present, was verbally abused by Usha. Meanwhile, outside the office, Usha's husband Sher Singh and her son Gaurav hurled abuses at S and her family. Following investigation, based on the evidence and recorded statements, Usha, Sher Singh, and Gaurav were charge-sheeted for offences under Sections 323/509/34 of IPC.

4. The parties, through the intervention of family friends, relatives, and other respected members of society, have amicably resolved their disputes. Pursuant to this understanding, the First Party (comprising S and Dushyant Lakra) and the Second Party (comprising Usha, Sher Singh, and Gaurav) have executed a Settlement Agreement dated 21st September 2025, outlining the terms of the settlement. A copy of the Settlement Agreement has been placed on record and has been perused by the Court.

5. As per the terms of settlement, the parties have agreed to bring an end to all hostilities and to jointly seek quashing of the proceedings emanating from both FIRs. Affidavits supporting this prayer have also been placed been filed and taken on record.

6. The complainants in both cases are present in person and are duly identified by the IO. They have categorically affirmed that they do not wish to pursue the criminal proceedings any further. They have further stated that their decision to settle is voluntary, without any coercion, pressure, or undue influence.

7. The Court has considered the submissions of the parties. While the

³ "IPC"



offences under Sections 354/354B of IPC are non-compoundable, offences under Sections 323/506/509 of IPC are compoundable in certain cases. It is well settled that in the exercise of its inherent powers under Section 482 CrPC (now 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.

8. 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:

⁴ (2012) 10 SCC 303

⁵ (2014) 6 SCC 466



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.”

[Emphasis Supplied]

10. Although the offences under Sections 354/354B 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 take into account 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 Complainants in the present case have categorically expressed their unwillingness to pursue the matter further and have 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 Cr.P.C. to secure the ends of justice.

11. In view of the foregoing, the present petitions are allowed and FIR No. 574/2023 dated 30th June, 2023 and FIR No. 896/2023 dated 26th November, 2023 both registered at P.S. Nangloi, Delhi, and all proceedings emanating therefrom are quashed.

12. The parties shall abide by the terms of settlement.

13. Accordingly, the petition is disposed of.

14. Pending applications, if any, are disposed of as infructuous.

SANJEEV NARULA, J

OCTOBER 8, 2025

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