



2025:DHC:11848



\$~8

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

%

Date of Decision: December 23rd, 2025

+

CRL.M.C. 7753/2025 & CRL.M.A. 32434/2025**BHAVY @ SOMI & ANR.**

.....Petitioners

Through: Mr. Aashish Kumar Singh,
Adv.
P2 in person

versus

**STATE OF NCT OF DELHI
& ANR.**

.....Respondents

Through: Mr. Sunil Kumar Gautam,
APP for the State
ASI Rajpal, PS- New
Usmanpur
Ms. Chitrakshi Vedi &
Ms. Pooja Kumari, Adv.
for R2
R2 in person**CORAM:****HON'BLE MR. JUSTICE AMIT MAHAJAN****AMIT MAHAJAN, J. (Oral)**

1. The present petition is filed seeking quashing of FIR No. 574/2025 dated 25.08.2025, registered at Police Station New Usmanpur, for offences under Sections 110/115(2)/126(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 ('BNS') and all consequential proceedings arising therefrom on the ground of settlement.

2. It is alleged that on 24.08.2025, at around 09:00 PM, due to a parking dispute, when Respondent No. 2 deflated the front tyre of Petitioner No. 2's bike, a physical altercation took place between the petitioners and Respondent No. 2. During the said scuffle, the petitioners inflicted injuries on the head of the Respondent No. 2 and his father, with a bamboo stick. This

Signature Not Verified

Signed By: DEEPA ANSHU
Signing Date: 27.12.2025
16:48:22**CRL.M.C. 7753/2025****Page 1 of 7**



2025:DHC:11848



incident led to registration of the above-mentioned FIR.

3. The learned counsel for the petitioner submits that the parties are neighbours and out of the same incident, another FIR No. 577/2025 was registered at the instance of the petitioners, against the Respondent No. 2.

4. He further submits that the parties have amicably resolved their disputes and wish to live their lives peacefully in the future.

5. He further submits that he has instructions to state that a sum of ₹50,000/- will also be paid to the complainants as compensation for the injuries sustained by them.

6. The present petition is filed on the ground that the parties have amicably settled their disputes by way of Settlement Deed/ Memorandum of Understanding dated 22.09.2025, out of their own free will, without any coercion, undue influence, pressure or threat.

7. The parties are present in person in Court and they have been duly identified by the Investigating Officer.

8. The complainants, on being asked, stated that they have since forgiven the petitioners and are satisfied with the compensation amount promised to be paid by the Petitioners. It is further stated that they do not wish to pursue any proceeding arising out of the present FIR and have no objection if the FIR and all consequential proceedings arising therefrom are quashed.

9. The petitioners also undertake that as agreed *vide* the Settlement Deed, appropriate steps will also be taken for seeking compounding of FIR No. 577/2025 before the learned Trial Court.

Signature Not Verified

Signed By: DEEPA ANSHU
Signing Date: 27.12.2025
16:48:22

CRL.M.C. 7753/2025

Page 2 of 7



10. The Petitioners further undertake not to indulge into any such activity in the future. They state that the parties have decided to bury their disputes and live peacefully in the future. The Petitioners further undertake that they will not harass Respondent No. 2 or his family members in any manner whatsoever.

11. Offences under Sections 115(2)/126(2) of the BNS are compoundable in nature and whereas offence under Section 110 of the BNS is non-compoundable.

12. It is well settled that the High Court while exercising its powers under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('**BNSS**') (erstwhile Section 482 of the Code of Criminal Procedure, 1973) can quash offences which are non-compoundable under the Code on the ground that there is a compromise between the accused and the complainant. The Hon'ble Apex Court has laid down parameters and guidelines for High Court while accepting settlement and quashing the proceedings. In the case of **Narinder Singh & Ors. v. State of Punjab & Anr. : (2014) 6 SCC 466**, the Hon'ble Supreme Court had observed as under :-

“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 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)

13. Similarly, in the case of ***Parbatbhai Aahir & Ors. v. State of Gujarat & Anr. : (2017) 9 SCC 641***, the Hon’ble Supreme Court had observed as under :-

“16. The broad principles which emerge from the precedents on the subject, may be summarised in the



following propositions:

16.1. *Section 482 preserves the inherent powers of the High Court to prevent an abuse of the process of any court or to secure the ends of justice. The provision does not confer new powers. It only recognises and preserves powers which inhere in the High Court.*

16.2. *The invocation of the jurisdiction of the High Court to quash a first information report or a criminal proceeding on the ground that a settlement has been arrived at between the offender and the victim is not the same as the invocation of jurisdiction for the purpose of compounding an offence. While compounding an offence, the power of the court is governed by the provisions of Section 320 of the Code of Criminal Procedure, 1973. The power to quash under Section 482 is attracted even if the offence is non-compoundable.*

16.3. *In forming an opinion whether a criminal proceeding or complaint should be quashed in exercise of its jurisdiction under Section 482, the High Court must evaluate whether the ends of justice would justify the exercise of the inherent power.*

16.4. *While the inherent power of the High Court has a wide ambit and plenitude it has to be exercised (i) to secure the ends of justice, or (ii) to prevent an abuse of the process of any court.*

16.5. *The decision as to whether a complaint or first information report should be quashed on the ground that the offender and victim have settled the dispute, revolves ultimately on the facts and circumstances of each case and no exhaustive elaboration of principles can be formulated.*

16.6. *In the exercise of the power under Section 482 and while dealing with a plea that the dispute has been settled, the High Court must have due regard to the nature and gravity of the offence. **Heinous and serious offences involving mental depravity or offences such as murder, rape and dacoity cannot appropriately be quashed though the victim or the family of the victim have settled the dispute. Such offences are, truly speaking, not private in nature but have a serious impact upon society. The decision to continue with the trial in such cases is founded on the overriding element of public interest in punishing persons for serious offences.***



16.7. As distinguished from serious offences, there may be criminal cases which have an overwhelming or predominant element of a civil dispute. They stand on a distinct footing insofar as the exercise of the inherent power to quash is concerned.

16.8. Criminal cases involving offences which arise from commercial, financial, mercantile, partnership or similar transactions with an essentially civil flavour may in appropriate situations fall for quashing where parties have settled the dispute.

16.9. In such a case, the High Court may quash the criminal proceeding if in view of the compromise between the disputants, the possibility of a conviction is remote and the continuation of a criminal proceeding would cause oppression and prejudice; and

16.10. There is yet an exception to the principle set out in propositions 16.8. and 16.9. above. Economic offences involving the financial and economic well-being of the State have implications which lie beyond the domain of a mere dispute between private disputants. The High Court would be justified in declining to quash where the offender is involved in an activity akin to a financial or economic fraud or misdemeanour. The consequences of the act complained of upon the financial or economic system will weigh in the balance.”

(emphasis supplied)

14. In the present case, Respondent No. 2 has categorically expressed his unwillingness to pursue the matter further and has confirmed the settlement as voluntary and devoid of any coercion. He has also stated that the scuffle occurred due to the spur of the moment and escalated when he deflated the tyre of the vehicle of the Petitioners. Although it is admitted that all the parties had sustained injuries in the present case, however, considering that the parties have settled the matter and that the Respondent No. 2 has stated that he has no remaining grievance



2025:DHC:11848



against the petitioners, is satisfied with the petitioners' unconditional apology as well as the amount of compensation promised to be paid, in the peculiar circumstances of this case, it is unlikely that the present FIR will result in a conviction when Respondent No. 2 himself does not wish to pursue the case. In such circumstances, continuance of the proceedings would only cause harassment and heart burn amongst the parties, who are neighbours and otherwise have decided to live peacefully in the same locality.

15. Keeping in view the nature of dispute and the fact that the parties have amicably settled the dispute, this Court feels that no useful purpose would be served by keeping the dispute alive and continuance of the proceedings would amount to abuse of the process of Court. I am of the considered opinion that it is a fit case to exercise discretionary jurisdiction under Section 528 of the BNSS.

16. In view of the above, FIR No. 574/2025 and all consequential proceedings arising therefrom are quashed on payment of ₹50,000/- to respondent no.2.

17. Proof of payment of compensation to be submitted to the concerned SHO.

18. The present petition is allowed in aforesaid terms.

19. Pending application(s) also stand disposed of.

AMIT MAHAJAN, J

DECEMBER 23, 2025

"SS"

Signature Not Verified

Signed By: DEEPA ANSHU

Signing Date: 27.12.2025

16:48:22

CRL.M.C. 7753/2025

Page 7 of 7