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

+ CRL.M.C. 8323/2025, CRL.M.A. 34740/2025

MUDIT PANDEY

.....Petitioner

Through: Mr. Vikram Along and Mr. Aditya
Joshi, Advocates with Petitioner in
person.

versus

THE STATE (NCT OF DELHI) & ORS.

.....Respondents

Through: Mr. Anuj Verma and Mr. Ankur
Sharma, Advocates for R-2, 3.
Mr. Hitesh Vali, APP for State.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

17.12.2025

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1. This 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. 380/2025 dated 12th October, 2025, registered at P.S. Dwarka South, Delhi, under Sections 281 and 125(a) of the Bharatiya Nyaya Sanhita, 2023³ (corresponding to Sections 279 and 337 of the Indian Penal Code, 1860⁴), and all consequential proceedings emanating therefrom.

2. The prosecution case arises from information received regarding a road accident that occurred in the intervening night of 11th-12th October,

¹ "BNSS"

² "CrPC"

³ "BNS"

⁴ "IPC"



2025, near the red light between Sector-6 and Sector-7, Dwarka, Delhi. The accident involved a motorcycle bearing registration No. DL-4S-DS-5301, which was being driven by Respondent No. 2, Akhilesh Kumar Yadav, with Respondent No. 3, Saksham Thakur, riding pillion. It is alleged that the motorcycle was struck by a car bearing registration No. DL-10-CW-3511, which was coming from the wrong side and was being driven in a rash and negligent manner. As a result of the collision, both Respondent Nos. 2 and 3 sustained injuries. Respondent No. 2 allegedly suffered grievous injuries, while Respondent No. 3 sustained minor ones. Upon tracing Respondent No.2, the police recorded his statement and registered the FIR.

3. The parties have settled their disputes and differences, and the Petitioner has executed separate settlement agreements, one with Respondent No. 2 on 25th October, 2025, and the other with Respondent No.3 on 10th November, 2025. Copies of these settlements are on record and perused by the Court. As per their terms, Respondents No. 2 and 3 have voluntarily given their no objection to the quashing of the subject FIR. In furtherance of the settlement, the Petitioner agreed to pay INR 3,75,000/- to Respondent No. 2 and INR 3,000/- to Respondent No. 3.

4. Respondent No. 2, who is present in person, and Respondent No. 3, who has joined the proceedings through the Video Conferencing mechanism, duly identified by the Investigating Officer, have confirmed the settlements and expressed their unequivocal consent to the quashing of the FIR. They confirm that the settlements have been arrived at voluntarily, without any pressure or coercion. They further confirm that in terms of the agreements, they have received the entire settlement amount. The Petitioner has also joined the proceedings in person and is duly identified by the



Investigating Officer. In light of the amicable resolution, the parties jointly seek quashing of the subject FIR and all proceedings arising therefrom.

5. It is noted that Mr. Hitesh Vali, APP for the State, on instructions from the Investigating Officer, submits that upon completion of the investigation, a charge sheet has been filed, wherein, in addition to the offences under the Bharatiya Nyaya Sanhita, the offences under Sections 3 and 181 of the Motor Vehicles Act, 1988⁵ have also been invoked against the Petitioner. Nonetheless, the said offences are compoundable in nature, and the Petitioner has expressed his willingness to pay the requisite compounding fee in accordance with law.

6. The Court has considered the submissions of the parties. Notably, the offence under Section 281 BNS is non-compoundable, while the offence under Section 125(a) BNS is compoundable, albeit with the permission of the Court, and by the person to whom hurt is caused.

7. 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.***⁶ 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.

⁵ “MV Act”

⁶ (2012) 10 SCC 303



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.”

[Emphasis added]

8. Further, in *Narinder Singh & Ors. v. State of Punjab & Anr.*,⁷ 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 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

⁷ (2014) 6 SCC 466



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]

9. In the present case, the allegations pertain to offences under Sections 281 and 125(a) BNS arising out of a road accident. There are no independent public witnesses to the occurrence, and the material placed on record does not *prima facie* indicate any specific or overt act attributable to the Petitioner demonstrating rashness or negligence beyond the factum of the accident itself. The nature of the incident, viewed in its entirety, does not reflect the presence of any aggravating or culpable circumstances and appears to be purely an accident. Further, both the injured persons, Respondent Nos. 2 and 3, have voluntarily settled the matter with the Petitioner and have categorically expressed their unwillingness to pursue the proceedings any further. In such circumstances, where the injured are no longer inclined to support the prosecution, the likelihood of securing a conviction is remote and bleak.

10. Continuation of the criminal proceedings in these circumstances would serve no meaningful purpose and would amount to an unnecessary prolongation of litigation, causing avoidable hardship to the parties and wastage of judicial time. Having regard to the nature of the offences, the *bona fides* of the settlement, and the principles laid down by the Supreme Court, this Court is satisfied that the present case warrants exercise of inherent jurisdiction under Section 528 BNSS (corresponding to Section 482 CrPC) to secure the ends of justice and prevent abuse of the process of law.



11. However, since the State machinery was set in motion based on the impugned FIR, it is appropriate to impose costs on the Petitioner. Accordingly, the Petitioner is directed to deposit costs of INR 5,000/- with the Delhi Police Welfare Fund, within a period of four weeks from today. Proof of deposit be submitted with the concerned Investigating Officer.

12. In view of the foregoing, the present petition is allowed. FIR No. 380/2025 dated 12th October, 2025, registered at P.S. Dwarka South, Delhi, and all consequential proceedings emanating therefrom in so far as they relate to the offences under Sections 281 and 125(a) BNS, are hereby quashed. As regards the offences under Sections 3 and 181 of the MV Act, which are compoundable, the Petitioner shall deposit the compounding fee before the concerned Trial Court within a period of six weeks from today. Upon such deposit, the proceedings in respect of those offences shall also stand closed.

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

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

SANJEEV NARULA, J

DECEMBER 17, 2025

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