



2025:DHC:10591



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

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Date of Decision: November 27, 2025+ **CRL.M.C. 8446/2025 & CRL.M.A. 35275/2025**

SMT GEETA RANI & ANR.Petitioners
Through: Mr. Ghanshyam Maurya,
Adv.

versus

STATE NCT OF DELHI AND ANRRespondents
Through: Mr. Sunil Kumar Gautam,
APP for the State with SI
Sahil, PS Prasad Nagar.
Mr. Ratnesh Kant and Mr.
Amit Prakash, Advs. for
R-2.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

AMIT MAHAJAN, J.

1. The present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita ('B.N.S.S') seeking quashing of FIR No. 267/2022 dated 05.06.2022 registered at Police Station Prasad Nagar, New Delhi, for the offences under sections 324/34 of the Indian Penal Code, 1860 ('IPC') against the petitioners.
2. Briefly stated, the present FIR was registered at the behest of Complainant/Rahul alleging that on 05.06.2022, an altercation took place between the complainant, his cousins Abhishek and Siddharth and his aunt/Geeta, when Smt. Geeta grabbed him

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from behind and Abhishek stabbed his shoulder with a vegetable knife.

3. Subsequently, the chargesheet has been filed under sections 324/34 of the IPC against the accused persons.

4. The present petition is filed on the ground that the parties have amicably settled all their disputes *inter se*, vide the Mediation Settlement Deed dated 14.02.2025, for a total amount of Rs. 4,00,000/-, out of their own will and without any threat, pressure, coercion or undue influence.

5. It is further stated that the petitioners have paid the aforesaid amount of Rs 4,00,000/- to the complainant by way of DD No/Banker Cheque No 278630 and 278631, respectively, dated 04.03.2025 of Rs 2,00,000/- each drawn on State Bank of India, New Delhi.

6. Offence under section 324 is non-compoundable in nature.

7. The Hon'ble Apex Court has laid down parameters and guidelines for High Courts exercising jurisdiction under Section 482 (section 528 of the BNSS) for quashing of proceedings on the ground of settlement in cases where the allegations are grave in nature. 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)

8. In the present case, it is not in dispute that the complainant sustained a stab injury during the incident in question. The MLC No. 1152 specifically records that the injury was caused by a *sharp-edged weapon*, which *prima facie* satisfies the ingredients of Section 324 IPC. The allegation is not of a minor scuffle or simple hurt but of a deliberate assault with a knife, resulting in a penetrating injury. Such an act, by its very nature, reflects a degree of aggression and mental depravity and potential danger to public peace and safety. Offences of such nature cannot be



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quashed merely because the victim has settled the dispute as such offences, in true sense, cannot be said to be offences *in personam* as the same are crimes against the society. Allowing quashing of proceeding when allegations are of such nature would be sending a message that Courts are open to compound serious offences. The same would allow the accused a free hand to influence the witness for which even threatening them cannot be ruled out. The purpose of prosecuting the accused is not only to punish but also for it to act as a deterrence for others.

9. In view of the seriousness of the allegations, the nature of the injury and the weapon used, I am of the view that offences involving violence with sharp-edged weapons are not fit for quashing on the ground of compromise and this is not a fit case to exercise discretionary jurisdiction under Section 528 of the BNSS.

10. If any amount has been paid to the Complainant by the Petitioners, the same be returned by him, within a period of three weeks.

11. The present petition is dismissed in the aforesaid terms.

AMIT MAHAJAN, J

NOVEMBER 27, 2025

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