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

+ CRL.M.C. 8906/2025, CRL.M.A. 37143/2025

DIKSHA KHATRI

.....Petitioner

Through: Mr. Mohit Bhardwaj and Mr. Naved
Khan, Advocates.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Digam Singh Dagar, APP for
State with SI Sandeep, PS-Bindapur.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

12.12.2025

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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. 0188/2021 dated 18th March, 2021,³ registered under Section 279 of the Indian Penal Code, 1860⁴ at P.S. Binda Pur, Delhi and all consequential proceedings emanating therefrom.

2. On 16th March, 2021, a PCR call regarding an accident near Pillar No. 750, Uttam Nagar was received. The Complainant/Respondent No. 2 alleged that his parked Maruti Ertiga was damaged by car No. DL-12CB-3838, allegedly driven rashly and negligently. On this basis, an FIR under Section 279 IPC was registered. During investigation, the police inspected the spot, recorded statements, seized the vehicle and documents, and issued notice under Section 133 of the Motor Vehicles Act to the registered owner. The owner (Petitioner) appeared, stated that she was driving the vehicle at the relevant time, and was arrested and released on police bail. Thereafter, a

¹ "BNSS"

² "CrPC"

³ "impugned FIR"



charge-sheet under Section 279 IPC was filed.

3. The parties state that they have amicably resolved their disputes. Pursuant thereto, a Compromise Deed dated 19th November, 2025 has been executed between the parties. As per its terms, Respondent No. 2 has mutually resolved all disputes and differences with the Petitioner and has agreed to voluntarily give no objection to the quashing of the impugned FIR. In furtherance of the settlement, the Petitioner agreed to pay a total sum of INR 15,000/- to Respondent No. 2 as final settlement amount.

4. Respondent No. 2, appearing in person and duly identified by the Investigating Officer, gives his no objection to the quashing of the impugned FIR. He has further confirmed the receipt of the full and final settlement amount from the Petitioner.

5. The Court has considered the submissions of the parties. Notable, Section 279 IPC is not compoundable. However, 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.***⁵ 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.

12. In view of the law discussed above, considering the Settlement arrived at between the parties and the statements of respondent no.1 & 2,

⁴ “IPC”

⁵ (2012) 10 SCC 303



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]

6. Further, in *Narinder Singh & Ors. v. State of Punjab & Anr.*,⁶ 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 family disputes should be quashed when the parties have resolved their entire disputes among themselves.

⁶ (2014) 6 SCC 466



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]

7. Having regard to the nature of the allegations under Section 279 IPC, which arise out of an alleged accidental incident involving damage to a parked vehicle with no injury to anyone, the voluntary settlement between the parties, and the categorical statement of Respondent No. 2 that he does not wish to pursue the proceedings, this Court finds that the possibility of securing a conviction is remote. Continuation of the criminal proceedings would therefore be an exercise in futility, warranting exercise of jurisdiction under Section 528 BNSS to secure the ends of justice.

8. In view of the foregoing, the present petition is allowed and the impugned FIR No. 0188/2021 as well as all consequential proceedings arising therefrom are hereby quashed.

9. 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 INR 7,500/- each with the Delhi Police Welfare Fund within a period of four weeks from today.

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

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

SANJEEV NARULA, J

DECEMBER 12, 2025/nk