



2025:DHC:11684



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

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Date of Decision: December 18, 2025+ **CRL.M.C. 9039/2025**

RAKESH

.....Petitioner

Through: Ms. Rashmi Rana and Mr.
Sarhak Dua, Advts.

versus

THE STATE (NCT OF DELHI) & ANR.Respondents

Through: Mr. Sunil Kumar Gautam,
APP for the State with SI
Amit Kumar, PS Mehrauli.**CORAM:****HON'BLE MR. JUSTICE AMIT MAHAJAN****AMIT MAHAJAN, J. (Oral)**

1. The present petition is filed seeking quashing of FIR No. 1401/2016 dated 10.07.2016, registered at Police Station Mehrauli for offences under Sections 354/354B/323/34/509/506 of the Indian Penal Code, 1860 ('IPC') including all consequential proceedings arising therefrom.

2. The FIR was registered on a complaint given by Respondent No. 2. It is alleged that on 09.07.2016 at around 3 PM when Respondent No. 2 was waiting for an auto-rickshaw, the petitioner, on seeing Respondent No.2 started hurling abuses at her. It is alleged that thereafter the petitioner grabbed Respondent No. 2's chest and also tore her suit. It is alleged that

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in order to defend herself, Respondent No. 2 picked up a stone from the road, threw the same at the petitioner and ran towards her house.

3. It is alleged that thereafter the petitioner chased after Respondent No. 2 and also called his family members whereafter 3-4 women and 4 men arrived at the spot and gave beatings to Respondent No. 2 and her mother. The said incident culminated into the registration of the present FIR.

4. The present petition is filed on the ground that the parties have amicably settled all their disputes by way of a Mutual Settlement dated 28.11.2025.

5. Respondent No. 2/complainant is present in person in Court and submits that the parties have settled the disputes. She submits that while the allegations were not inflated or false, however, considering that the parties have now settled the disputes, she does not wish to pursue any proceedings arising out of the present FIR.

6. The learned Additional Public Prosecutor for the State opposes the quashing of the FIR, and submits that the alleged offences are serious in nature and ought not to be quashed only because the victim has settled the disputes with the accused.

7. 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 Apex Court had observed as under :-

“29. In view of the aforesaid discussion, we sum up

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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)

8. It is pertinent to note that serious allegations have been made against the petitioner. It is alleged that the petitioner hurled abuses at Respondent No. 2 and also grabbed her by her chest and tore her suit. It is alleged that thereafter the petitioner also chased after Respondent No. 2 and gave beatings to her.

9. As noted above, Respondent No. 2 has stated before this Court that the allegations were not exaggerated or incorrect and stated that she seeks quashing of the FIR solely because the parties have decided to bury the disputes.

10. It is not in doubt that the offences under Sections 354/354B of the IPC cannot be construed to be a mere private dispute. The offence *per se* is an affront to the dignity and autonomy of a woman. Offences of such nature transcend the bounds of individual harm and constitute a crime against the society. Such offences ought not to be extinguished only at the convenience of the parties or because the victim, at a subsequent stage, decided to settle the disputes with the perpetrator. Any such compromise subsequent to the incident does not *ipso facto*



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efface the gravity of the offence or wipe out the seriousness of allegations.

11. In such circumstances, quashing of the FIR only on the ground that Respondent No.2 has settled the disputes with the petitioner would be akin to trivialising the seriousness of the offence.

12. The present petition is accordingly dismissed.

AMIT MAHAJAN, J

DECEMBER 18, 2025

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