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

+ **CRL.M.C. 456/2026**

SHASHANK SHEKHAR @ SHASHANKPetitioner

Through: Mr. Jitender Kumar Khullar,
Advocate alongwith Petitioner in
Person.

versus

THE STATE NCT OF DELHI AND ANRRespondent

Through: Mr. Hitesh Vali, APP for State
with SI Chanjang, PS Mandawali.
Mr. Sonesh Sethi, Advocate for R-
2 with R-2 in Person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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20.01.2026

CRL.M.As. 1830-1831/2026(exemption)

Exemptions allowed, subject to all just exceptions.

The applications stand disposed of.

CRL.M.C. 456/2026 & CRL.M.A. 1832/2026 (stay)

1. By way of this petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"] (corresponding to Section 482 of the Code of Criminal Procedure, 1973), the petitioners seek quashing FIR No. 198/2020, dated 04.05.2020, registered under Section 324 of the Indian Penal Code, 1860 ["IPC"], at Police Station Mandawali Fazal Pur, East District, Delhi, alongwith all proceedings emanating therefrom, on the ground of settlement between the parties.

2. Issue notice. Mr. Hitesh Vali, learned Additional Public



Prosecutor, accepts notice on behalf of the State. Mr. Sonesh Sethi, learned counsel, accepts notice on behalf of respondent No. 2, who is also present in person. Respondent No. 2 is the father of the petitioner.

3. The subject FIR was registered at the instance of the brother of the petitioner, who made a Police Control Room call on 04.05.2020, stating that his brother, i.e., the petitioner herein, had injured their father with a knife. The father (respondent No. 2) was taken to Lal Bahadur Shastri Hospital, Kalyan Puri, after the incident in question. The Medico-Legal Certificate [“MLC”] has been produced before the Court, which shows that he sustained two abdominal wounds, measuring approximately 2 cm × 0.5 cm and 1.5 cm × 0.5 cm. There is no specific finding recorded in the MLC as to whether the injuries were simple or grievous. A copy of the MLC is taken on record.

4. Mr. Vali states that a chargesheet has already been filed on 02.03.2023, and that the trial is at the stage of arguments on charge before the Court of the Judicial Magistrate First Class, East District, Karkardooma Courts, Delhi [Cr. Case No. 1363/2023], which is next listed on 09.04.2026.

5. The petitioner and respondent No. 2 have entered into a settlement deed dated 03.12.2025, wherein it is stated that a quarrel took place on the date of the incident, as a result of which respondent No. 2 sustained injuries. The petitioner has since apologised to his father, and the apology has been accepted by respondent No. 2.

6. Learned counsel for the parties, therefore, seek quashing of the FIR and all proceedings emanating therefrom.

7. The petitioner and respondent No. 2 are present in person and have



been identified by their respective learned counsel as well as by the Investigating Officer. Respondent No. 2 confirms that the matter has been amicably settled without any fear, pressure, or coercion, and that he does not wish to proceed against his son in the present proceedings.

8. Although offence under Section 324 of IPC is non-compoundable, the Supreme Court has clearly held that, in certain circumstances, the High Courts, in exercise of their powers under Section 528 of BNSS [corresponding to Section 482 of CrPC], can quash criminal proceedings, even with respect to non-compoundable offences, on the ground that there is a compromise between the accused and the complainant, especially when no overarching public interest is adversely affected.

9. In *Gian Singh v. State of Punjab and Anr.* [(2012) 10 SCC 303], the Supreme Court held as follows:

*“58. Where the High Court quashes a criminal proceeding having regard to the fact that the **dispute between the offender and the victim has been settled although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor.** No doubt, crimes are acts which have harmful effect on the public and consist in wrongdoing that seriously endangers and threatens the well-being of the society and it is not safe to leave the crime-doer only because he and the victim have settled the dispute amicably or that the victim has been paid compensation, yet certain crimes have been made compoundable in law, with or without the permission of the court. In respect of serious offences like murder, rape, dacoity, etc., or other offences of mental depravity under IPC or offences of moral turpitude under special statutes, like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity, the settlement between the offender and the victim can have no legal sanction at all. However, certain offences which overwhelmingly and predominantly bear civil flavour having arisen out of civil, mercantile, commercial, financial, partnership or such like transactions or the offences arising out of matrimony, particularly relating to dowry, etc.*



or the family dispute, where the wrong is basically to the victim and the offender and the victim have settled all disputes between them amicably, irrespective of the fact that such offences have not been made compoundable, the High Court may within the framework of its inherent power, quash the criminal proceeding or criminal complaint or FIR if it is satisfied that on the face of such settlement, there is hardly any likelihood of the offender being convicted and by not quashing the criminal proceedings, justice shall be casualty and ends of justice shall be defeated. The above list is illustrative and not exhaustive. Each case will depend on its own facts and no hard-and-fast category can be prescribed.”

[Emphasis supplied.]

Further, in *Narinder Singh and Ors. v. State of Punjab and Anr.* [(2014) 6 SCC 466], the Supreme Court has also laid down guidelines for High Courts while accepting settlement deeds between parties and quashing the proceedings. The relevant observations in the said decision read 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.]

10. Applying the aforesaid observations of the Supreme Court to the facts of the present case, I note that the victim is the father of the petitioner and the incident appears to have emanated from a quarrel between the parties. Respondent No. 2 has accepted the petitioner's apology and does not wish to further pursue the criminal proceedings. The injuries suffered by respondent No. 2 also do not appear to be of such a nature as to require the criminal proceedings to be carried to their logical conclusion. In view of the position taken by the parties, the aforesaid dispute is also unlikely to result in a conviction.

11. For the aforesaid reasons, the petition is allowed and FIR No. 198/2020 under Section 324 of IPC, registered at Police Station Mandawli Fazal Pur, alongwith all consequential proceedings emanating therefrom, is hereby quashed.

12. Having regard to the nature of the allegation against the petitioner, however, I am of the view that this is a fit case to impose an order of community service upon him. He is directed to report to the Medical Superintendent, Lal Bahadur Shastri Hospital, Kalyan Puri, on



15.02.2026 at 11:00 A.M. The Medical Superintendent is requested to assign duties to the petitioner for three hours a day for a period of 15 days. The petitioner will file a compliance affidavit alongwith a certificate from the hospital by 15.03.2026.

13. The petition, alongwith the pending application, is disposed of with these directions.

PRATEEK JALAN, J

JANUARY 20, 2026

'pv/JM'/'