



\$~147 to 150

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

+ **CRL.M.C. 512/2026**

UBAIDUR RAHMAN & ORS.

.....Petitioners

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

+ **CRL.M.C. 513/2026**

ABUL FAZAL @ GUDDU & ORS.

.....Petitioners

versus

THE STATE OF NCT OF DELHI & ANR.

.....Respondent

+ **CRL.M.C. 534/2026**

UBAIDUR RAHMAN & ORS.

.....Petitioners

versus

STATE OF NCT OF DELHI & ORS.

.....Respondents

+ **CRL.M.C. 529/2026**

ABUL FAZAL @ GUDDU & ANR.

.....Petitioners

versus

THE STATE OF NCT OF DELHI & ANR.

.....Respondents

Appearances:-

Ms. Manjeet Arya, APP for State with SI Akshay Dagar, ASI Parveen Kumar, ASI Devender Kumar, ASI Ram Kumar, PS Shaheen Bagh.

Mr. Shubham Prajapati & Mr. Amit Kumar, Advocates for Petitioners in Item Nos. 147 and 149/ R2 in Item Nos. 148 and 150.

Mr. Rakesh Kumar Mandal & Ms. Eram Afrin,



Advocates for R2 in Item Nos. 147 and 149/Petitioners in Item Nos. 148 and 150.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

%

22.01.2026

CRL.M.A. 2061/2026 (exemption) in CRL.M.C. 512/2026

CRL.M.A. 2062/2026 (exemption) in CRL.M.C. 513/2026

CRL.M.A. 2157/2026 (exemption) in CRL.M.C. 534/2026

CRL.M.A. 2133/2026 (exemption) in CRL.M.C. 529/2026

Exemption allowed, subject to all just exceptions.

The applications stand disposed of.

CRL.M.C. 512/2026

CRL.M.C. 513/2026

CRL.M.C. 534/2026

CRL.M.C. 529/2026

1. Issue notice. Ms. Manjeet Arya, learned Additional Public Prosecutor, accepts notice on behalf of the State. Mr. Rakesh Kumar Mandal, learned counsel, accepts notice on behalf of the complainant in CRL.M.C. 512/2026 and CRL.M.C. 534/2026. Mr. Shubham Prajapati, learned counsel, accepts notice on behalf of the complainant in CRL.M.C. 513/2026 and CRL.M.C. 529/2026.

2. The petitions are taken up for hearing together with the consent of learned counsel for the parties.

3. The present petitions under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"] (corresponding to Section 482 of the Criminal Procedure Code, 1973 ["CrPC"]) seek quashing of two sets of cross-FIRs registered at Police Station Shaheen Bagh, District South-East, Delhi, arising out of incidents which took place on 28.08.2023



[CRL.M.C. 529/2026 and CRL.M.C. 534/2026] and 06.08.2025 [subject matter of CRL.M.C. 512/2026 and CRL.M.C. 513/2026]. The details of the FIRs are as follows:

- a. FIR No. 294/2025 dated 06.08.2025, registered under Sections 115(2)/126(2)/351(2)/303(2)/324(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 [“BNS”], which is the subject matter of CRL.M.C. 512/2026.
- b. FIR No. 290/2025 dated 06.08.2025, registered under Sections 115(2)/126(2)/351(2)/3(5) of the BNS, which is the subject matter of CRL.M.C. 513/2026.
- c. FIR No. 313/2023 dated 30.08.2023, registered under Sections 323/341/354/506/34 of the Indian Penal Code, 1860 [“IPC”], which is the subject matter of CRL.M.C. 534/2026.
- d. FIR No. 312/2023 dated 30.08.2023, registered under Sections 323/341/354/506/34 of the IPC, which is the subject matter of CRL.M.C. 529/2026.

The petitions are founded on a settlement arrived at between the parties, and the respective complainants in the aforesaid FIRs have been arrayed as respondent No. 2 in each of the petitions.

4. The parties are stated to have been residing on different floors of the same building. The cross-FIRs arose from a misunderstanding, with allegations levelled against members of each other’s families.

5. The parties have since entered into a settlement, as recorded in Memoranda of Understanding [“MoU”] dated 08.01.2026. The present petitions have thus been filed for quashing of the FIRs.

6. I have heard learned counsel for the parties. All parties are present



and are identified by the Investigating Officers and by their respective counsel.

7. The only objection raised by Ms. Arya is that two accused named in the chargesheet arising out of FIR No. 312/2023, have not been made parties to CRL.M.C. 529/2026. In this regard, Mr. Mandal has filed an amended memo of parties, wherein the said individuals are arrayed as respondents. The same is taken on record.

8. The MoUs record that the parties are desirous of putting an end to all disputes between them. To this effect, the statements of the respective complainants in the FIRs have been recorded separately, wherein they affirmed that they have amicably settled their differences and do not wish to proceed with the criminal proceedings against any party.

9. Even in the case of non-compoundable offences, the Supreme Court has held that, in appropriate cases, the Court may quash the FIR on the ground of settlement. 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. The present case is one of dispute between neighbours, which has been settled by way of a compromise. The allegations do not pertain to heinous offences, and the nature of injuries suffered by the respective parties are stated in their respective affidavits to have been simple. This appears to me to be a fit case, in which inherent power of this Court can be used to quash the cross-FIRs. Such an order would permit the parties to live in peace and harmony, rather than compounding the animosity.

11. As the parties have settled their disputes, and have affirmed the voluntary nature of the settlement, it is also unlikely that further proceedings would result in convictions. Continuation of criminal proceedings in the present FIRs would, in my view, be an unnecessary diversion of judicial resources.

12. The petitions are therefore allowed, and all proceedings arising out of FIR No. 294/2025 dated 06.08.2025, under Sections



115(2)/126(2)/351(2)/303(2)/324(2)/3(5) of the BNS; FIR No. 290/2025 dated 06.08.2025, under Sections 115(2)/126(2)/351(2)/3(5) of the BNS; and FIR Nos. 313/2023 and 314/2023 dated 30.08.2023, under Sections 323/341/354/506/34, all registered at Police Station Shaheen Bagh, District South-East, New Delhi, are hereby quashed.

13. The petitions accordingly stand disposed of.

PRATEEK JALAN, J

JANUARY 22, 2026

'pv/JM'