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

+ **CRL.M.C. 551/2026**

VINOD KUMAR

.....Petitioner

Through: Mr. Vikram Gujral, Advocate with
petitioner in person.

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Priyanka Dalal, APP with SI
Mohan Rawar, PS: Safdarjung
Enclave.

Mr. Aryan Kalia, Advocate for R2
with R2 in person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER
22.01.2026

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1. The petitioner has filed this petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"] (corresponding to Section 482 of the Code of Criminal Procedure, 1973 ["CrPC"]) seeking quashing of FIR No. 446/2017 dated 09.11.2017, lodged at Police Station Safdarjung Enclave, New Delhi, under Sections 186/332/353/34 of the Indian Penal Code, 1860 ["IPC"], on the ground of settlement.

2. The facts, as emerging from the impugned FIR, are that on 08.11.2017, respondent No. 2 – complainant, then working as a Branch Manager of Dena Bank, alongwith his staff, visited the place of one Shally Noori to enquire about an outstanding car loan availed from the Bank. It is alleged that upon reaching there, they were assaulted by the petitioner and his friend, as a result of which the complainant sustained



injuries to his head and other parts of his body.

3. Upon completion of the investigation, a chargesheet was filed. Although the FIR mentions assault by two persons, the chargesheet has been filed only against one accused i.e., the petitioner herein.

4. The parties have since settled their disputes, as recorded in a Memorandum of Understanding dated 23.12.2025. In light of the aforesaid, the parties seek quashing of the impugned FIR.

5. The petitioner is present in Court, and is identified by learned counsel, as well as by the Investigating Officer [“IO”]. The complainant is also present in person, and is identified by her learned counsel and the IO.

6. Learned counsel for the parties confirm that the settlement has been entered into voluntarily and without any coercion or undue pressure, and that the settlement has taken place without any monetary compensation. The injuries are also stated to be simple in nature.

7. Although the offences under Sections 186, 332, and 353 of the IPC are non-compoundable, the Supreme Court has clearly held that, in certain circumstances, the High Courts, in exercise of their powers under Section 482 of CrPC [corresponding to Section 528 of BNSS], 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.

8. 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.]

9. The present case arises out of a misunderstanding between the parties, which has since been settled by way of a compromise. The allegations do not pertain to heinous offences, and the injuries are stated to be simple in nature. The loan in question is also stated to have been repaid. This, in my view, is a fit case in which the inherent powers of this



Court may be exercised to quash the FIR.

10. 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 FIR would, in my view, be an unnecessary diversion of judicial resources.

11. Although the settlement does not contemplate any monetary consideration, having regard to the nature of the incident, the petitioner is directed to pay costs of Rs.10,000/- to respondent No. 2. Affidavit of compliance be filed within three weeks.

12. Having regard to the above discussion, the petition is allowed, and FIR No. 446/2017 dated 09.11.2017, lodged at Police Station Safdarjung Enclave, New Delhi, under Sections 186/332/353/34 of the IPC, alongwith all consequential proceedings arising therefrom, is hereby quashed, subject to payment of costs as aforesaid.

13. The petition stands disposed of.

PRATEEK JALAN, J

JANUARY 22, 2026

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