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

+ **CRL.M.C. 676/2026**

POONAM KUSHWAHA AND ORS.Petitioners

Through: Ms. Chitrakshi Vedi & Ms. Pooja Singh, Advocates.

versus

STATE OF NCT OF DELHI AND ANRRespondents

Through: Ms. Manjeet Arya, APP for State with SI Sukhvir Singh, PS Jafrabad.

Mr. Aashish Kumar Singh & Mr. M.K. Goswami, Advocates for R-2.

+ **CRL.M.C. 678/2026**

RAMAKANT AND ORS.Petitioners

Through: Mr. Aashish Kumar Singh & Mr. M.K. Goswami, Advocates.

versus

STATE OF NCT OF DELHI AND ANRRespondents

Through: Ms. Manjeet Arya, APP for State with SI Sukhvir Singh, PS Jafrabad.

Ms. Chitrakshi Vedi & Ms. Pooja Singh, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **27.01.2026**

CRL.M.A. 2692/2026 (for exemption) in CRL.M.C. 676/2026

CRL.M.A. 2709/2026 (for exemption) in CRL.M.C. 678/2026

Exemptions allowed, subject to all just exceptions.

The applications stand disposed of.

CRL.M.C. 676/2026 & CRL.M.C. 678/2026

1. 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 FIRs, being FIR No. 412/2025 [subject matter of CRL.M.C. 676/2026] and FIR No. 413/2025 [subject matter of CRL.M.C. 678/2026]. Both FIRs are dated 15.09.2025, and were registered at Police Station Jafrabad, New Delhi. FIR No. 412/2025 is registered under Sections 115(2)/118(1)/333/351(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 [“BNS”], and FIR No. 413/2025 under Sections 115(2)/126(2)/74/79/3(5) of the BNS. The petitions are founded on a settlement arrived at between the parties. The respective complainants in the two FIRs, have been arrayed as respondent No. 2 in each petition.

2. Issue notice. Ms. Manjeet Arya, learned Additional Public Prosecutor, accepts notice on behalf of the State. Notice is accepted by Mr. Aashish Kumar Singh, learned counsel, on behalf of respondent No. 2 in CRL.M.C. 676/2026. Notice is accepted by Ms. Chitrakshi Vedi, learned counsel, on behalf of respondent No. 2 in CRL.M.C. 678/2026.

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

4. I have heard learned counsel for the parties. All parties are present and are identified by the Investigating Officer and by their learned counsel. The parties have confirmed before the Court that they have settled their disputes and do not wish to proceed with the criminal proceedings against each other.

5. At the outset, Ms. Arya states that, in CRL.M.C. 676/2026, one child in conflict with law [“CCL”], who was also an accused in FIR No. 412/2025, has not been impleaded as a party, and two of the injured



persons, being Ilias and Saddam, have also not been impleaded. Amended memo of parties is handed up in Court, impleading Iliyas, Saddam, and the CCL as respondent Nos. 3, 4 and 5 respectively.

6. The statement of the respondent No. 2 in CRL.M.C. 676/2026, Iliyas and Saddam have been recorded in Court. They have all stated that disputes have been settled and they have no objection to the quashing of the FIRs against all the accused. The statements were made in Hindi and translated by me into English.

7. The cross-FIRs have been filed by neighbours, against each other. Both arise out of an incident which took place on 14.09.2025. In FIR No. 412/2025, the allegation against the accused petitioners in CRL.M.C. 676/2026, viz. Ms. Poonam Kushwaha, Mr. Ravinder Kushwaha, Mr. Anshu, and Mr. Milan Kushwaha [CCL], is that they forcibly entered the factory and assaulted the complainant, Iliyas, and Saddam following a prior dispute. On the other hand, in FIR 413/2025, the allegation against the accused petitioners in CRL.M.C. 678/2026, viz. Mr. Ramakant, Mr. Ramu, Mr. Ilias, Mr. Saddam, and Mr. Ram Ji, is that Mr. Ramu and Mr. Ram Ji had previously misbehaved with the complainant, and touched her inappropriately. Pursuant thereto, the complainant, alongwith her husband and minor son, visited the factory to confront the said two persons, but they were not present in the factory at that time. However, when respondent No. 2 and her family were complaining about the prior incident, they were assaulted by the other accused persons, who also worked at the factory.

8. I am informed that, in both the cases, injuries were simple in nature.



9. Learned counsel for the parties submit that the dispute between the parties arose out of a misunderstanding, and the parties have settled the disputes amicably. It is specifically stated by Mr. Singh that the allegations in FIR No. 413/2025 under Sections 74 and 79 of BNS have been made on misunderstanding and the complainant does not wish to proceed on the basis of those allegations.

10. 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.]

11. The present case is one of dispute between neighbours, which has been settled by way of a compromise. The injuries were also simple in nature. There is no overriding public interest which requires the proceeding to be carried to their logical conclusion. 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. 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 emanating from FIR No. 412/2025 under Sections 115(2)/118(1)/333/351(2)/3(5) of the BNS, and FIR No. 413/2025 under Sections 115(2)/126(2)/74/79/3(5) of the BNS, both dated 30.05.2015, registered at Police Station Jafrabad, are hereby quashed.

13. The petitions stand disposed of.

PRATEEK JALAN, J

JANUARY 27, 2026 ‘pv’/AD/