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

+ **CRL.M.C. 970/2026**

AVTAR SINGH SETHI

.....Petitioner

Through: **Mr. Ajay Chaudhary, Advocate,
for P**

versus

THE STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: **Ms. Manjeet Arya, APP for State
with SI Ghansyam, PS Pul
Prahladpur.
Mr. Jayant Tewatia, Advocate for
R-2 alongwith R-2 in Person (VC)**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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04.02.2026

CRL.M.A. 3836/2026 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 970/2026

1. The petitioner has filed the present 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. 195/2014 dated 23.05.2014, registered at Police Station Fatehpur Beri, Delhi, for the offences punishable under Sections 323/341/506/34 of the Indian Penal Code, 1860 ["IPC"], and all proceedings emanating therefrom, on the ground that the parties have



amicably settled their disputes.

2. Issue notice. Ms. Manjeet Arya, learned Additional Public Prosecutor, accepts notice on behalf of the State. Mr. Jayant Tewatia, learned counsel, accepts notice on behalf of respondent No. 2.

3. The petition is taken up for hearing with the consent of learned counsel for the parties.

4. The petitioner is present and is identified by learned counsel and the Investigating Officer [“IO”]. Respondent No. 2 is also present on video conference, and is identified by his learned counsel and the IO.

5. Mr. Ajay Chaudhary, learned counsel for the petitioner, submits that the petitioner and respondent No. 2 are friends, and the dispute arises from a misunderstanding, which led to a minor altercation.

6. The impugned FIR was registered at the instance of respondent No.2, against two accused persons.

7. The impugned FIR arises out of an incident dated 02.11.2011 at a shooting range, where, during the North Zone Shooting Competition, respondent No. 2 was allegedly stopped from entering his lane by the petitioner and one Baljit Singh Sethi, resulting in a scuffle between the parties, during which respondent No. 2 sustained injuries.

8. Subsequently, a charge sheet has also been filed.

9. During the pendency of the proceedings, co-accused [Mr. Baljit Singh Sethi] passed away on 18.09.2024, and the proceedings against him stand abated. The death certificate has been placed on record. The proceedings are therefore continuing against only the petitioner herein.

10. The petitioner and respondent No. 2 have since settled their disputes, and entered into a Compromise Deed dated 15.11.2025. The



settlement does not involve any monetary consideration, and contemplates settlement of three criminal proceedings between the parties. I am informed that the other two criminal proceedings concern compoundable offences.

11. In light of the aforesaid, the parties seek quashing of the impugned FIR.

12. 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. The Supreme Court, in *Gian Singh v. State of Punjab & Anr.*¹ has 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

¹ (2012) 10 SCC 303.



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.”²

Further, in *Narinder Singh & Ors. v. State of Punjab & Anr.*, the Supreme Court laid down guiding principles for the exercise of inherent powers while considering quashing of criminal proceedings on the basis of settlement. The relevant observations 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

² Emphasis supplied.



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.”³

13. The present case arises out of a minor altercation between friends, which resulted in a scuffle. The parties are advanced in age, the petitioner being 90 years old and respondent No. 2 being 72 years old. The parties have since resolved their differences amicably. I am informed that no weapons were used and the injuries sustained by respondent No. 2 were simple in nature. In view of these circumstances, I am of the view that the present case warrants the exercise of its inherent jurisdiction, as such an order would advance the ends of justice by enabling the parties to live in peace and harmony rather than perpetuating animosity. Applying the tests laid down by the Supreme Court, it is evident that respondent No. 2 has categorically affirmed before this Court that the settlement is voluntary and without any coercion or undue influence. Further, the continuation of the criminal proceedings is unlikely to result in a conviction and would amount to a mere formality, leading to unnecessary prolongation of

³ Emphasis supplied.



litigation and avoidable consumption of judicial time and public resources.

14. In view of the foregoing discussion, the petition is allowed, and FIR No. 195/2014 dated 23.05.2014, registered at Police Station Fatehpur Beri, Delhi, for the offences punishable under Sections 323/341/506/34 of the IPC, and all consequential proceedings arising therefrom, are hereby quashed.

15. The parties shall remain bound by the terms of the settlement.

16. The petition alongwith pending application, is disposed of in the above terms.

PRATEEK JALAN, J

FEBRUARY 4, 2026

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