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

\# **CNR No. DLHC010069202026**

\+ CRL.M.C. 1512/2026 & CRL.M.As. 6116-6117/2026

SH. PARVESH & ORS. .....Petitioners

Through: Mr. Devesh Kumar Agnihotri, Advocate for Petitioner.

versus

THE STATE (GOVT OF NOT OF DELHI) & ANR. .....Respondents

Through: Mr. Shoaib Haider, APP for State.
S.I. Pravesh and S.I. Deepak, P.S. Mundka.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

O R D E R

% 29.10.2026

1. The present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"] seeks quashing of FIR No. 588/2024 dated 20th August, 2024, registered at P.S. Mundka, Delhi, under Sections 110/351(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 ["BNS"], along with all consequential proceedings emanating therefrom, on the basis of an amicable settlement between the parties.

2. The case of the prosecution is that on 20th August, 2024, an altercation took place between Petitioner No. 1 and Respondent No. 2 at Lekhram Park, Tikri Kalan. It is alleged that Petitioner No. 1, along with the other Petitioners, assaulted Respondent No. 2 and struck him on the head with a brick, causing grievous injuries. Upon completion of the investigation, a

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chargesheet was filed against all four Petitioners under Sections 110/351(2)/3(5) BNS.

3. The parties state that, with the intervention of family members, friends and other respectable persons, they have amicably resolved their dispute and executed a Memorandum of Understanding dated 28th November, 2025, a copy whereof has been placed on record. Under the terms of the settlement, the Petitioners have agreed to pay INR 4,00,000/- to Respondent No. 2, besides providing a smartphone valued at approximately INR 15,000/-. The parties have stated that the settlement has been arrived at of their own free will and consent. Respondent No. 2 has also agreed to cooperate in the quashing of the impugned FIR.

4. Respondent No. 2, who is present in Court and has been identified by the Investigating Officer, confirms that he does not wish to pursue the criminal proceedings against the Petitioners. He acknowledges receipt of the settlement amount in terms of the Memorandum of Understanding dated 28th November, 2025. He further states that the Petitioners have expressed remorse for the incident and tendered an apology, which he has accepted. He confirms that the settlement has been arrived at voluntarily, without any pressure or coercion, and that he has no objection to the quashing of the impugned FIR and all consequential proceedings emanating therefrom. His statement is taken on record.

5. The Court has considered the submissions advanced by counsel for the parties and perused the material placed on record. The offence under Section 110 BNS is non-compoundable, whereas the offence under Section 351(2) BNS is compoundable in certain circumstances.

6. It is well settled that the power of the High Court under Section 482

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of the Code of Criminal Procedure, 1973 [corresponding to Section 528 BNSS] to quash criminal proceedings is distinct from the power of compounding under Section 320 CrPC. This power may be exercised even in cases involving non-compoundable offences where the parties have settled the matter. However, the power is to be exercised sparingly and with caution. The guiding considerations are whether such exercise would secure the ends of justice or prevent abuse of the process of the Court. While exercising this power, the Court must have due regard to the nature and gravity of the offence and the circumstances of the case. In ***Narinder Singh & Ors. v. State of Punjab & Anr.***[1], the Supreme Court has reiterated these principles and held that, in appropriate cases, the Court may quash the proceedings where, having regard to the settlement, the possibility of conviction is remote and bleak and continuation of the criminal proceedings would serve no useful purpose.

7. In the present case, the allegations involve an assault upon Respondent No. 2 resulting in grievous injuries. The nature of the allegations cannot be overlooked merely because the parties have settled their dispute. However, the incident arose out of a personal altercation between the parties, who have since amicably resolved their differences. The Petitioners have expressed remorse and apologised to Respondent No. 2, who has accepted their apology and expressed his unwillingness to pursue the criminal proceedings. There is nothing on record to suggest that the settlement was arrived at involuntarily, and the circumstances do not indicate any wider public ramifications warranting continuation of the proceedings.

[1] (2014) 6 SCC 466.

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8. Having regard to the circumstances of the case, the nature of the dispute and the voluntary settlement between the parties, the Court is satisfied that the possibility of conviction is remote and bleak. Continuation of the criminal proceedings would serve no useful purpose. This Court, therefore, considers it appropriate to exercise its inherent powers under Section 528 BNSS to secure the ends of justice.

9. Accordingly, the present petition is allowed. FIR No. 588/2024 dated 20th August, 2024, registered at P.S. Mundka, Delhi, under Sections 110/351(2)/3(5) BNS, along with all consequential proceedings emanating therefrom, is hereby quashed.

10. However, since the State machinery was set in motion on account of the impugned FIR, it is appropriate to impose costs on the Petitioners. Accordingly, each of the Petitioners are directed to deposit INR 5,000/- with the Delhi Police Welfare Fund, within a period of four weeks from today. Proof of payment be deposited with the concerned IO within two weeks thereafter.

11. The parties shall abide by the terms of settlement.

12. The petition is disposed of in the above terms.

SANJEEV NARULA, J

OCTOBER 29, 2026/*hc*

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