$~66 & 67

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

\# **CNR No. DLHC010075792026**

\+ CRL.M.C. 1604/2026

MANOHAR @ TAMBI .....Petitioner

Through: Mr. Saransh Bhardwaj, Advocate with Petitioner-in-person.

versus

THE STATE OF NCT OF DELHI & ANR. .....Respondents

Through: Mr. Shoaib Haider, APP for State.

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\# **CNR No. DLHC010080402026**

\+ CRL.M.C. 1673/2026

ANIL KUMAR & ANR. .....Petitioners

Through:

versus

THE STATE (GOVT. OF NCT OF DELHI) & ANR. .....Respondents

Through: Mr. Shoaib Haider, APP for State.
Mr. Saransh Bhardwaj, Advocate for R-2.

**CORAM:**
**HON'BLE MR. JUSTICE SANJEEV NARULA**

**O R D E R**

**% 29.10.2026**

1. These petitions under Section 528 of the Bharatiya Nagarik Suraksha



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Sanhita, 2023,[1] seek quashing of cross-FIRs arising out of the same incident. The details of the FIRs are as under:

(i) In CRL.M.C. 1604/2026, FIR No. 250/2022 dated 1st May, 2022, registered at P.S. Sunlight Colony under Sections 323/341 of the Indian Penal Code, 1860,[2] on the complaint of Anil Kumar against Manohar @ Tambi; and

(ii) In CRL.M.C. 1673/2026, FIR No. 251/2022 dated 1st May, 2022, registered at P.S. Sunlight Colony under Sections 308/34 IPC, on the complaint of Manohar @ Tambi against Anil Kumar and Sunil Kumar.

2. The allegations in FIR No. 250/2022 relate to an altercation that occurred on 1st May, 2022, at Sunlight Colony, Delhi. Anil Kumar alleged that Manohar @ Tambi assaulted him with a sharp object, causing injuries to his nose. Upon completion of investigation, Section 326 IPC was added in view of the medical opinion categorising Anil's injuries as grievous. Subsequently, *vide* order dated 16th December, 2024, the Trial Court framed charges against Manohar under Sections 323/326/341 IPC.

3. Conversely, FIR No. 251/2022 arises from the same incident and records the allegations of Manohar @ Tambi that an argument arose between him and Anil Kumar near a local akhara, following which Anil and his brother, Sunil Kumar, assaulted him with sticks, causing injuries to his head and hands. Manohar allegedly lost consciousness while returning home. Upon completion of investigation, a chargesheet was filed against Anil Kumar and Sunil Kumar under Sections 308/34 IPC.

4. The parties state that, with the intervention of family members, elders

[1] "BNSS"
[2] "IPC"



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and well-wishers, they have amicably resolved their disputes and executed a Settlement-cum-Compromise Deed dated 28th January, 2026, a copy whereof has been placed on record. As per deed, the parties have resolved all their differences arising out of the incident and have agreed to maintain peace and harmony. They have further agreed to cooperate with each other in seeking quashing of FIR Nos. 250/2022 and 251/2022 and all proceedings emanating therefrom. It is stated that the settlement has been arrived at voluntarily, without any force, coercion or undue pressure.

5. The complainants in both FIRs are present in Court and have been duly identified by the Investigating Officer. They confirm that the disputes have been amicably resolved and, being from the same locality, they wish to put their differences behind them and maintain peaceful relations. They further state that they do not wish to pursue their respective FIRs and have no objection to their quashing. In light of the foregoing, counsel for the parties jointly pray for quashing of the impugned FIRs.

6. The Court has considered the submissions advanced by the parties and perused the record. While the offences under Sections 326 and 308 IPC are non-compoundable, offences under Sections 323 and 341 IPC are compoundable in certain cases.

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



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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.***[3], 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.

8. The allegations in FIR No. 417/2017 include an offence under Section 308 The allegations in the present case arise out of a neighbourhood altercation which resulted in injuries to both sides and registration of cross-FIRs. Although the offences under Sections 326 and 308 IPC are serious in nature, the circumstances *prima facie* suggest that the incident arose from a sudden quarrel, without any apparent premeditation. More importantly, the complainants in both FIRs have unequivocally expressed their unwillingness to pursue the criminal proceedings, having voluntarily resolved their disputes and agreed to maintain peaceful relations. In these circumstances, the possibility of securing a conviction appears remote, and continuation of the proceedings would serve no useful purpose. This Court, therefore, considers it a fit case to exercise its jurisdiction under Section 528 BNSS to secure the ends of justice.

9. Accordingly, the present petitions are allowed. FIR Nos. 250/2022 and 251/2022, both registered at P.S. Sunlight Colony, along with all consequential proceedings emanating therefrom, are hereby quashed.

10. However, since the State machinery was set in motion on account of

[3] (2014) 6 SCC 466.



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the impugned FIRs, this Court considers it appropriate to impose costs. Accordingly, each of the Petitioners is directed to deposit INR 2,500/- with the Delhi Police Welfare Fund within four weeks from today. Proof of deposit shall be furnished to the concerned Investigating Officer.

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

12. Accordingly, the petitions are disposed of. Pending applications, if any, stand disposed of.

**SANJEEV NARULA, J**

**OCTOBER 29, 2026**/*hc*



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