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

+ **W.P.(CRL) 801/2026 & CRL.M.A. 7712/2026**

NEEM BAHADUR & ORS.

.....Petitioners

Through: Mr. Mukesh Birla, Advocate.

versus

THE STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Anand V. Khatri, ASC.

SI Avinash Kumar PS- Anand
Vihar

Mr. Sunil Kumar, Mr. Ankit Dixit,

Mr. Tushar Tyagi, Mr. Piyush

Sharma Advocates for Respondent

No. 2, alongwith Mr. Praveen

Kumar Jain.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **15.05.2026**

1. The petitioners have approached this Court by way of the present petition under Article 226 of the Constitution of India, seeking quashing of FIR No. 183/2024 dated 02.04.2024, registered at Police Station Anand Vihar, Delhi, under Sections 448, 384, 506, and 34 of the Indian Penal Code, 1860 ["IPC"], alongwith all consequential proceedings emanating therefrom, on the ground that the disputes between the parties have been amicably settled.

2. Issue notice. Mr. Anand V. Khatri, learned Additional Standing Counsel, accepts notice on behalf of the State, while Mr. Sunil Kumar, learned counsel, accepts notice on behalf of respondent No. 2.

3. The petitioners are present before the Court and have been identified by their learned counsel as well as by the Investigating Officer. Respondent No. 2 is also present and has been identified by his learned



counsel and the Investigating Officer.

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

5. The impugned FIR was registered at the instance of respondent No. 2, who alleged that he had purchased property bearing No. 124, Har Govind Enclave, Delhi-110092 from its previous owner, Mr. Birjender Pal Singh Mangal, by way of a registered sale deed dated 11.08.2023 executed in favour of his company, Jainco Developers Pvt. Ltd., and that possession of the said property was handed over to him on the same day. It was further alleged that petitioner No. 1, who had earlier been residing in the basement of the property as a caretaker, had already been removed and the premises vacated prior to the transfer of possession.

6. According to the complaint, when construction work commenced at the property on 17.08.2023, petitioner No. 1, along with the other petitioners and certain unidentified persons, obstructed the construction work, assaulted the labourers, threatened the complainant with dire consequences, and demanded Rs. 10,00,000/- for permitting the work to continue. It was further alleged that the petitioners, in collusion with certain persons claiming to be advocates, forcibly broke open the locks of the property, illegally occupied the basement portion thereof, prevented the complainant from entering the premises, and threatened to falsely implicate him in criminal cases while also claiming influence with lawyers and police officials.

7. During the pendency of the proceedings, the parties amicably resolved their disputes and entered into a Compromise Deed dated 10.01.2026, whereby respondent No. 2 agreed to pay a total settlement



amount of Rs. 37,50,000/- to the petitioners towards peaceful vacation and handing over possession of property bearing No. 124, Hargobind Enclave, Delhi-110092. The settlement amount was paid through six separate demand drafts of Rs. 6,25,000/- each in favour of petitioner Nos. 1 to 6 respectively, simultaneously with the handing over of possession of the aforesaid property to respondent No. 2. It was further agreed between the parties that upon receipt of the settlement amount and delivery of possession, the petitioners would cease to have any right, title, interest, or claim of any nature whatsoever in respect of the said property.

8. Learned counsel for the parties confirm that the settlement has been entered into voluntarily and without any coercion or undue influence.

9. The Supreme Court has consistently held that, in appropriate cases, the High Courts, in exercise of their inherent powers under Section 482 of CrPC (corresponding to Section 528 of BNSS), may quash criminal proceedings, including in respect of non-compoundable offences, where the parties have arrived at a genuine settlement and no overriding public interest is adversely affected.

10. Reference in this connection can be made to the judgment in *Gian Singh v. State of Punjab and Anr.*¹, which 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*

¹ (2012) 10 SCC 303.



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.”²

Further, in *Narinder Singh and Ors. v. State of Punjab and Anr.*³, 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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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.”⁴

11. The present case essentially arises out of a private and personal dispute concerning possession and occupation of the property in question, which has since been amicably resolved between the parties. The settlement arrived at between them is comprehensive in nature and has already been acted upon. Learned counsel for the parties have also affirmed before this Court that the settlement has been entered into voluntarily and without any coercion or undue influence.

12. Having regard to the nature of the allegations and the overall

⁴ Emphasis supplied.



circumstances of the case, this Court is of the opinion that no overriding public interest would be served by permitting the criminal proceedings to continue. The dispute does not involve any element of heinous criminality or conduct having a serious societal impact warranting continuation of prosecution despite settlement. In these circumstances, the possibility of conviction is remote and continuation of the proceedings would serve no meaningful purpose, while unnecessarily burdening the criminal justice system and consuming valuable judicial time and public resources. This Court, therefore, considers it to be a fit case for exercise of its inherent powers under Section 528 of the BNSS to secure the ends of justice and bring quietus to the disputes between the parties.

13. In view of the foregoing discussion, the present petition is allowed. Accordingly, FIR No. 183/2024 dated 02.04.2024, registered at Police Station Anand Vihar, Delhi, under Sections 448, 384, 506, and 34 IPC, alongwith all consequential proceedings emanating therefrom, is hereby quashed.

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

15. The petition, alongwith any pending applications, accordingly stands disposed of.

PRATEEK JALAN, J

MAY 15, 2026

'B'/SD/