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

+ CRL.M.C. 2018/2026

ASHOK KUMAR & ORS.

.....Petitioners

Through: Mr. Himanshu Bidhuri, Advocate.
versus

STATE OF NCT DELHI & ORS.

.....Respondents

Through: Ms. Meenakshi Dahiya, APP with
SI Lokesh.
Mr. Shekhar Kumar and Mr.
Aditya Raj, Advocates for R2 and
R3.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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21.05.2026

1. The petitioners have 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. 365/2025 dated 14.07.2025, registered at Police Station Govind Puri, District South-East, Delhi, under Sections 115(2)/126(2)/74/76/3(5) of the Bharatiya Nyaya Sanhita, 2023 ["BNS"], alongwith all proceedings arising therefrom, on the ground that the disputes between the parties have been amicably settled.

2. The parties are present in Court, and have been duly identified by their respective learned counsel as well as the Investigating Officer. The petition is taken up for disposal with the consent of learned counsel for the parties.

3. The parties are neighbours. Respondent No. 2 is the priest of the local temple, and respondent No. 3 is his wife. The impugned FIR was



registered at the instance of respondent No. 2, alleging that, on 13.07.2025 at about 8:30 PM, an altercation took place between the parties, during which the petitioners assaulted him with fists and sticks. It is further alleged that, when respondent No. 3 attempted to intervene, petitioner No. 3 hit her and tore her clothes. Upon completion of the investigation, a chargesheet was filed.

4. The disputes between the parties have since been settled, as recorded in a Settlement Agreement dated 11.03.2026. The settlement records that the petitioners have paid an amount of Rs.70,000/- to respondent Nos. 2 and 3 as compensation, and that the parties have mutually resolved their disputes.

5. Respondent No. 3, who is present in person and represented by learned counsel, states that the allegations, including those against petitioner No. 3 under Sections 74 and 76 of the BNS, arose out of a misunderstanding arising out of the aforesaid incident, and that she does not wish to pursue the same.

6. Further, the Medico-Legal Certificates dated 13.07.2025, issued by Vardhman Mahavir Medical College and Safdarjung Hospital, New Delhi – 110029, characterise the nature of injuries suffered by respondent Nos.2 and 3 as “*Simple (Blunt)*”.

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

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

9. The Supreme Court has clearly held that, in certain circumstances, the High Courts, in exercise of their powers under Section 528 of the



BNSS [corresponding to Section 482 of the CrPC], can quash criminal proceedings, even with respect to non-compoundable offences, on the ground that there is a compromise between the accused and the complainant, especially when no overarching public interest is adversely affected. Reference in this connection can be made to the judgment in *Gian Singh v. State of Punjab and Anr.* [(2012) 10 SCC 303], 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 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.]

10. The offences alleged in the subject FIR arise out of a personal dispute between the parties and are essentially private in nature. They stem from a neighbourhood misunderstanding, and do not appear to engage any wider public interest or involve grave criminality. The nature of injuries suffered by respondent Nos. 2 and 3 have also been characterised as simple. Applying the principles laid down by the Supreme Court, it is relevant to note that respondent Nos. 2 and 3 have affirmed the voluntary nature of the settlement before this Court. In these circumstances, the continuation of criminal proceedings is unlikely to result in a conviction and would serve no useful purpose, while only adding to the burden on the justice system and consuming public resources unnecessarily.

11. In view of the foregoing discussion, the petition is allowed, and FIR No. 365/2025 dated 14.07.2025, registered at Police Station Govind Puri, District South-East, Delhi, under Sections 115(2)/126(2)/74/76/3(5) of the BNS, alongwith all consequential proceedings arising therefrom, is hereby quashed.

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

13. The petition accordingly stands disposed of.

PRATEEK JALAN, J

MAY 21, 2026/SS/KA/