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

+ W.P.(CRL) 868/2026

CHIRAG TULI & ORS.

.....Petitioners

Through: Mr. Amit Tiwari, Mr. Anand
Awasthi & Mr. Jai Vardhan,
Advocates.

versus

STATE THROUGH SHO & ORS.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel.
SI Anand Swaroop, PS DIU/North.
Mr. Deepanshu Badiwal, Advocate
for R-2 & 3 alongwith R-2 & 3 in
person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **18.03.2026**

CRL.M.A. 8300/2026(exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(CRL) 868/2026

1. The petitioners have filed this petition under Article 226 of the Constitution seeking quashing of FIR No. 0240/2024, dated 03.04.2024, registered at Police Station Sarai Rohilla, under Sections 323/341/342/506/34 of the Indian Penal Code, 1860 ["IPC"], and all proceedings emanating therefrom, on the ground of settlement.

2. Issue notice. Mr. Sanjay Lao, learned Standing Counsel (Criminal), accepts notice on behalf of the State. Mr. Deepanshu Badiwal, learned counsel, accepts notice on behalf of respondent Nos. 2 and 3.



3. The petition is taken up for hearing with the consent of learned counsel for the parties.
4. The impugned FIR has been registered at the instance of respondent No. 2 against the present petitioners, who are his neighbours, on account of a dispute arising out of parking of vehicles in front of the property bearing H. No. 16, Vivekanand Puri, Sarai Rohilla, Delhi.
5. Respondent No. 2 made a PCR call on 03.04.2024 alleging that the petitioners were assaulting his father, late Vidya Sagar, and his wife (respondent No. 3 herein) over an altercation stemming from the parking of vehicles in front of their residence, pursuant to which the impugned FIR was registered at P.S. Sarai Rohilla on 03.04.2024.
6. Although there is a reference on record to the death of the father of respondent No. 2 in relation to the incident in question, it is submitted by Mr. Lao that the deceased sustained injuries due to a fall from a two-wheeler outside the police station. He was declared brought dead; however, there is no allegation either by the State or by respondent Nos. 2 and 3 that the death occurred as a result of the alleged incident. It further appears that no injuries were sustained by any of the parties, and no Medico Legal Case was conducted.
7. Respondent No. 2 had filed a petition before this Court seeking transfer of investigation from P.S. Sarai Rohilla to District Investigation Unit, North District, which was allowed by this Court by order dated 30.05.2024.
8. During the pendency of investigation, the parties have entered into a settlement dated 23.02.2026, whereby they agreed to withdraw/quash all pending litigation between them, including the present FIR.



9. In light of the aforesaid, the parties seek quashing of the impugned FIR alongwith all consequential proceedings emanating therefrom.

10. The parties are present in Court, and are identified by their learned counsel, as well as by the Investigating Officer [“IO”]. Respondent Nos. 2 and 3 are also present in Court and are identified by Mr. Badiwal and the IO.

11. The parties confirm before this Court that the present dispute arose out of a misunderstanding and that they wish to bury the hatchet, particularly as they continue to reside in the same building.

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

13. The Supreme Court has clearly held that, in certain circumstances, the High Courts, in exercise of their extraordinary powers under Article 226 of the Constitution, 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.

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

Further, in *Narinder Singh & Ors. v. State of Punjab & Anr.*², 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

¹ Emphasis supplied.

² (2014) 6 SCC 466.



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.”³

15. The offences alleged in the impugned FIR arise out of a neighbourhood dispute between the parties and are essentially private in nature. Respondent Nos. 2 and 3 have affirmed before the Court that the dispute arose out of a misunderstanding, which resulted in the scuffle between the parties. The dispute does not involve any element of public

³ Emphasis supplied.



interest or heinous criminality. Applying the tests laid down by the Supreme Court, it may be observed that the respondent Nos. 2 and 3 have also categorically affirmed the voluntary nature of the settlement before the Court. In these circumstances, the criminal proceedings are unlikely to result in conviction, and their continuation would be an empty formality, adding to the burden of the justice system and consuming public resources unnecessarily.

16. In view of the foregoing discussion, the petition is allowed, and FIR No. 240/2024, dated 03.04.2024, registered at Police Station Sarai Rohilla, District North, under Sections 323/341/342/506/34, alongwith all consequential proceedings arising therefrom, is hereby quashed.

17. The parties will remain bound by the terms of the settlement.

18. The petition accordingly stands disposed of.

PRATEEK JALAN, J

MARCH 18, 2026

'pv/JM'/'