



\$~89 & 90

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

% ***Date of Decision: 17th March, 2026***

+ CRL.M.C. 1642/2025
MS MEERA DEVI & ORS.Petitioners

Through:
versus

THE STATE (GOVT OF NCT OF DELHI) & ORS.Respondents
Through: Mr. Sunil Kumar Gautam, APP for the
State with SI Shubhanshu, PS
Kalyanpuri.
Ms. Riya Goel, Advocate for
respondent Nos.2 and 3 with
respondent Nos.2 and 3 in person

+ CRL.M.C. 8137/2025
SHEIKH MOHD & ORS.Petitioners

Through: Ms. Riya Goel, Advocate with
petitioners in person.
versus

THE STATE NCT OF DELHI & ORS.Respondents
Through: Mr. Sunil Kumar Gautam, APP for the
State with SI Shubhanshu, PS
Kalyanpuri.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN
JUDGMENT (oral)

CRL.M.C. 1642/2025 & CRL.M.C. 8137/2025

1. Both these petitions, being connected, have been taken up together.
2. There are two cross-FIRs i.e. FIR No.432/2014 and FIR No.433/2014 dated 24.05.2014, registered at P.S. Kalyanpuri. Both the abovesaid FIRs have been registered for commission of offences under Sections 308/34 IPC.
3. In Crl.M.C. 1642/2025, there are three accused persons i.e. Meera, Raj



Kumar and Sunder Lal and injuries were received by one-*Sheikh Mohammad* and Gulshan.

4. In cross-case i.e. CRL.M.C. 8137/2025, there are in all nine accused persons i.e. Sheikh Mohammad, Meena, Shahrukh Khan, Gulshan, Sharmila, Musraf Khan, Zareena @ Zina, Sunder Lal and Salman Khan whereas the injuries were received by five persons i.e. Meera Devi, Sunder Lal, Jitender @ Jeetu, *Tara* and Kirodi.

5. As per bare averments appearing in FIRs in question, there was discord between the two groups and during scuffle on the relevant date, bricks were hurled and rod, *lathi*, *palta*, sword, etc. were used. The scuffle between the two parties was for the reason that Sunita (daughter of Ms. Tara) had, voluntarily, gone with Nek Mohammad (son of his neighbor-Mr. Sheikh Mohammad).

6. It is apprised that parties have been able to bury their differences and now there is marriage between the abovesaid two persons i.e. Ms. Sunita and Mr. Nek Mohammad with the consent of family members and such couple is even blessed with a child.

7. Charge-sheets in both the aforesaid matters have been filed and charges have also been framed under Sections 308/34 IPC and both the cases are at the stage of prosecution evidence.

8. Both the sides have entered into settlement and have agreed to give their respective '*no objection*' to the quashing of FIRs in question. Copy of such *Compromise Deed* has also been placed on record. As per the broad terms of settlement, accused Sheikh Mohammad has agreed to pay a sum of Rs.40,000/- to injured Meena.

9. The petitioners and injured, in both the matters, are present. Respective



counsel are also present. The Investigating Officer (I.O.) is present and identifies the parties/ injured.

10. They all have reiterated the terms of settlement and submit that since the matter has been amicably settled between them, they are no longer interested in pursuing their respective FIRs. All the injured also state that they have already recovered from the injuries in question. They claim that they have entered into settlement voluntarily and without any pressure or coercion. A sum of Rs.40,000/- has also been paid to injured Meena during course of hearing of the matters.

11. The affidavits of respondents in both the cases, giving their 'no objection' to the quashing of respective FIRs have also been placed on record and reliance is placed on ***Gian Singh v. State of Punjab & Anr. (2012) 10 SCC 303.***

12. Fact remains that the incident is of the year 2014 and parties have already undergone agony of trial for more than a decade.

13. In view of the settlement arrived at between the parties, continuing with criminal proceedings would serve no useful purpose. Even otherwise, the MLCs which have been placed on record does not reveal any serious injury. Reference be made to ***Narinder Singh & Ors. vs. State of Punjab & Anr., (2014) 6 SCC 466***, wherein the Apex Court had observed that proceedings, even in non-compoundable cases, can be quashed on the basis of settlement provided that the Court is satisfied that there was no meaningful purpose in continuing with the proceedings, and that the scope of conviction was remote and bleak. Reference be made to the following observations made in ***Antonnette Promilla Fernanadez v. State NCT of Delhi and Another 2026 SCC OnLine Del 809:-***



“15. It is now well settled that, even in the case of non-compoundable offences, the High Court may exercise inherent powers, recognised by Section 482 of the CrPC and Section 528 of the BNSS, to quash proceedings based on a compromise between the parties. However, the aforesaid power is discretionary, and certain principles have been laid down, which guide the Court in adjudicating an application of this nature.

16. The judgment of the Supreme Court in *Gian Singh v. State of Punjab* referred to several earlier judgments, including some concerning Section 307 of the IPC, and summarised the law as follows:

“61. The position that emerges from the above discussion can be summarised thus: the power of the High Court in quashing a criminal proceeding or FIR or complaint in exercise of its inherent jurisdiction is distinct and different from the power given to a criminal court for compounding the offences under Section 320 of the Code. **Inherent power is of wide plenitude with no statutory limitation but it has to be exercised in accord with the guideline engrafted in such power viz.: (i) to secure the ends of justice, or (ii) to prevent abuse of the process of any court. In what cases power to quash the criminal proceeding or complaint or FIR may be exercised where the offender and the victim have settled their dispute would depend on the facts and circumstances of each case and no category can be prescribed.** However, before exercise of such power, the High Court must have due regard to the nature and gravity of the crime. Heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. cannot be fittingly quashed even though the victim or victim's family and the offender have settled the dispute. Such offences are not private in nature and have a serious impact on society. Similarly, any compromise between the victim and the offender in relation to the offences under special statutes like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity, etc.; cannot provide for any basis for quashing criminal proceedings involving such offences. **But the criminal cases having overwhelmingly and predominatingly civil flavour stand on a different footing for the purposes of quashing, particularly the offences arising from commercial, financial, mercantile, civil, partnership or such like transactions or the offences arising out of matrimony relating to dowry, etc. or the family disputes where the wrong is basically private or**



personal in nature and the parties have resolved their entire dispute. In this category of cases, the High Court may quash the criminal proceedings if in its view, because of the compromise between the offender and the victim, the possibility of conviction is remote and bleak and continuation of the criminal case would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal case despite full and complete settlement and compromise with the victim. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceeding or continuation of the criminal proceeding would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that the criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding.”

17. Three later judgments of the Supreme Court specifically deal with proceedings under Section 307 of the IPC:

a. In *Narinder Singh v. State of Punjab*, after referring to the judgment in *Gian Singh*, and various judgments dealing with Section 307, the Court distilled the following legal principles:

“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.

29.6. Offences under Section 307 IPC would fall in the category of heinous and serious offences and therefore are to be generally treated as crime against the society and not against the individual alone. However, the High Court would not rest its decision merely because there is a mention of Section 307 IPC in the FIR or the charge is framed under this provision. It would be open to the High Court to examine as to whether incorporation of Section 307 IPC is there for the sake of it or the prosecution has collected sufficient evidence, which if proved, would lead to proving the charge under Section 307 IPC. For this purpose, it would be open to the High Court to go by the nature of injury sustained,



whether such injury is inflicted on the vital/delicate parts of the body, nature of weapons used, etc. Medical report in respect of injuries suffered by the victim can generally be the guiding factor. On the basis of this prima facie analysis, the High Court can examine as to whether there is a strong possibility of conviction or the chances of conviction are remote and bleak. In the former case it can refuse to accept the settlement and quash the criminal proceedings whereas in the latter case it would be permissible for the High Court to accept the plea compounding the offence based on complete settlement between the parties. At this stage, the Court can also be swayed by the fact that the settlement between the parties is going to result in harmony between them which may improve their future relationship.

29.7. While deciding whether to exercise its power under Section 482 of the Code or not, timings of settlement play a crucial role. Those cases where the settlement is arrived at immediately after the alleged commission of offence and the matter is still under investigation, the High Court may be liberal in accepting the settlement to quash the criminal proceedings/investigation. It is because of the reason that at this stage the investigation is still on and even the charge-sheet has not been filed. Likewise, those cases where the charge is framed but the evidence is yet to start or the evidence is still at infancy stage, the High Court can show benevolence in exercising its powers favourably, but after prima facie assessment of the circumstances/material mentioned above. On the other hand, where the prosecution evidence is almost complete or after the conclusion of the evidence the matter is at the stage of argument, normally the High Court should refrain from exercising its power under Section 482 of the Code, as in such cases the trial court would be in a position to decide the case finally on merits and to come to a conclusion as to whether the offence under Section 307 IPC is committed or not. Similarly, in those cases where the conviction is already recorded by the trial court and the matter is at the appellate stage before the High Court, mere compromise between the parties would not be a ground to accept the same resulting in acquittal of the offender who has already been convicted by the trial court. Here charge is proved under Section 307 IPC and conviction is already recorded of a heinous crime and,



therefore, there is no question of sparing a convict found guilty of such a crime.”

b. In State of Madhya Pradesh v. Laxmi Narayan, the same principles have been reiterated.

c. In the recent judgment in Naushey Ali v. State of Uttar Pradesh, these principles were applied to set aside a prosecution under Section 307.

18. Applying these principles to the facts of the present case, upon an overall consideration of the facts and circumstances of the case, I am of the view that it would be appropriate to exercise the inherent powers of this Court to quash the proceedings.”

14. Reference be also made to the judgment in ***Mohd. Rashid & Ors. V. The State (Govt. Of Nct Of Delhi) & Anr. (in CRL.M.C.8182/2025; DoD 18.11.2025)***, wherein this Court quashed the proceedings arising out of Sections 308/34 IPC after considering the nature of the offence and amicable settlement between the parties.

15. Keeping in mind the aforesaid and in order to facilitate both the sides in maintaining and restoring cordiality, the proceedings deserve to be quashed in exercise of the inherent powers of the Court.

16. Accordingly, exercising inherent powers vested in this Court under Section 528 of *Bharatiya Nagarik Suraksha Sanhita, 2023*, it is deemed appropriate to quash both the FIR.

17. Consequently, to secure the ends of justice, FIR Nos.432/2014 and 433/2014, registered at Police Station Kalyanpuri, for commission of offences under Sections 308/34 IPC, along with all consequential proceedings arising therefrom, quashed. Original *Compromise Deed* and original affidavits of petitioners and respondent No.2, copies of which have been filed with the present petition, shall be submitted before the learned Trial Court on or before the next date of hearing so that these become part of Trial Court Record.



18. The petition stands disposed of in aforesaid terms.
19. Pending applications also stand disposed of.

(MANOJ JAIN)
JUDGE

MARCH 17, 2026
st/sa