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

+ CRL.M.C. 2355/2026 & CRL.M.A. 9590/2026

SHIVDANI SINGH

.....Petitioner

versus

STATE (NCT OF DELHI) AND ANR.

.....Respondents

+ CRL.M.C. 3448/2026 & CRL.M.A. 13966/2026, CRL.M.A.
13967/2026

SMT GANGA SAINI & ANR.

.....Petitioners

versus

THE STATE GOVT OF NCT OF DELHI & ANR.Respondents

Appearances:

Ms. Gulshan Jahan, Mr. Surya Kumar, Ms. Simran Khan, Advocates for petitioners in item No. 117 and for R-2 in item No. 118.

Mr. Neeru Gupta, Advocate for petitioner in item No. 118 and for R-2 in item No. 117.

Ms. Manjeet Arya, APP with Mr. Abhimanyu Arya, Advocate. HC Rajeev.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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20.05.2026

1. The present petitions under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"] (corresponding to Section 482 of Criminal Procedure Code, 1973) seek quashing of cross-FIRs, being FIR No. 447/2018 dated 21.10.2018, registered under Section



323/354/354B/509 of the Indian Penal Code, 1860, [“IPC”] (subject matter of CRL.M.C. 2355/2026) and FIR No. 448/2018, dated 21.10.2018, under Sections 323/354/356/451/506/34 of the IPC (subject matter of CRL.M.C. 3448/2026), alongwith all consequential proceedings emanating therefrom, on the basis of settlement arrived at between the parties. Both FIRs were registered at Police Station Fatehpur Beri, Delhi.

2. Issue notice. Ms. Manjeet Arya, learned Additional Public Prosecutor, accepts notice on behalf of the State. Mr. Neeru Gupta, learned counsel, accepts notice on behalf of respondent No. 2 in CRL.M.C. 2355/2026, and Ms. Gulshan Jahan, learned counsel, accepts notice on behalf of respondent No. 2 in CRL.M.C. 3448/2026.

3. The parties are present in Court and identified by their counsel and the Investigating Officer [“IO”].

4. The matters are taken up for hearing with consent of learned counsel for the parties.

5. In CRL.M.C. 2355/2026, it is alleged that on 20.10.2018, the complainant’s husband and the petitioner, who were neighbours, had an argument. Thereafter, when the complainant was leaving her house, the petitioner allegedly quarreled with her, assaulted her, and tore her clothes. She also alleged that her chain and nose pin were missing. It was further alleged that the petitioner used to watch her while she used the washroom from his terrace.

6. In CRL.M.C. 3448/2026, it is alleged that on 20.10.2018 at about 1:00 PM, the petitioners objected to the construction work being carried out by complainant outside her house, this led to an altercation, where petitioner No. 1 allegedly abused the complainant’s husband. It is further



alleged that during the quarrel, the petitioners, alongwith their son, attacked the complainant's husband with stones. The complainant, while attempting to protect her husband, was also allegedly assaulted, and her gold chain was forcibly snatched from her neck.

7. Upon completion of investigation, chargesheet in both the cases were filed against the respective petitioners herein.

8. During the pendency of the case, the parties arrived at an amicable settlement recorded in a Settlement Deeds dated 29.10.2025.

9. Learned counsel for the parties submit before the Court that the settlement was entered into voluntarily, without force, fraud or coercion, and that continuation of the criminal proceedings would serve no useful purpose. I am informed that the parties are still residing in the same neighbourhood. The injuries suffered were simple in nature, and there was no allegation of use of any sharp weapon or fire-arm. Further, the complainants in each case, who are present in Court, confirm that the allegations under Section 354 of the IPC arose out of a misunderstanding.

10. Ms. Arya points out that, in CRL.M.C. 3448/2026, the husband of the complainant was also injured, but is not made a party to the settlement or the petition. However, the husband of the complainant in CRL.M.C. 3448/2026, who is also the petitioner in CRL.M.C. 2355/2026, is present in Court, and submits that he has no objection to granting the relief sought.

11. In light of the aforesaid, the parties have approached this Court seeking quashing of the impugned FIRs.

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



(corresponding to Section 482 of 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.

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

¹ (2012) 10 SCC 303.



prescribed.”²

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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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

14. In the present case, the parties are neighbours residing in the same locality and the proceedings arise out of disputes over construction work being carried out at the residence of the complainant in CRL.M.C. 3448/2026. The parties continue to reside in the same neighbourhood and have amicably resolved all their disputes by way of the Settlement Deeds. The injuries are stated to be simple in nature and there was no use of any sharp weapon or fire-arm. The complainants in the respective FIRs have also affirmed before this Court that the allegations under Section 354 of the IPC arose out of a misunderstanding and that they have no objection to the quashing of the FIR. The disputes between the parties are essentially private in nature and do not involve any overriding public interest which would warrant continuation of the criminal proceedings despite the settlement. In the facts and circumstances of the present case, continuation of the proceedings would serve no useful purpose, and the possibility of conviction appears remote and bleak. Permitting the proceedings to continue would therefore amount to an unnecessary prolongation of litigation and a needless expenditure of judicial time and public resources.



15. In view of the foregoing, the petitions are allowed. Accordingly, FIR No. 447/2018 dated 21.10.2018, registered under Section 323/354/354B/509 of the IPC, registered at P.S. Fatehpur Beri, Delhi (subject matter of CRL.M.C. 2355/2026), and FIR No. 448/2018 dated 21.10.2018 under Sections 323/354/356/451/506/34 of IPC, registered at P.S. Fatehpur Beri, Delhi (subject matter of CRL.M.C. 3448/2026), alongwith all proceedings emanating therefrom, are hereby quashed.

16. Having regard to the age of the matter, and the State resources spent in investigating and prosecuting the FIRs, the petitioners are directed to collectively deposit costs of Rs. 15,000/- in each petition, with the Delhi High Court Bar Association Costs Account [A/C No. 15530110179338; IFSC No. UCBA0001553; UCO Bank, Delhi High Court Branch] within a period of two weeks from today. An affidavit of compliance shall be filed within two weeks thereafter.

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

18. The petitions, alongwith the pending applications, are accordingly disposed of.

PRATEEK JALAN, J

MAY 20, 2026

'B'/AD/

⁴ Emphasis supplied.