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

+ W.P.(CRL) 1033/2026

VAKIL AHMED AND ORS

.....Petitioners

Through: Mr. Javed Khan, Advocate for
Petitioner alongwith Petitioners in
Person.

versus

THE STATE NCT OF DELHI AND ORS.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
with Mr. Abhinav Kumar and Mr
Ayan Sachdeva, Advocates.
SI Ombir, P.S. Malviya Nagar.
Ms. Anshula Gupta, Advocate for
R2 to 6.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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19.05.2026

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. 76/2026 dated 01.03.2026, registered at Police Station Malviya Nagar, District South, Delhi, under Sections 333/118(1)/115(2)/351(2)/351(3)/3(5) of the Bharatiya Nyaya Sanhita, 2023 ["BNS"], alongwith all proceedings arising therefrom, on the ground that the dispute between the parties has been amicably settled.
2. The parties are present in Court, and have been duly identified by their 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 impugned FIR was registered at the instance of respondent No.2, who alleged that, at about 1:30 PM on 27.02.2026, when he had gone to offer prayers, petitioner No. 4, who resides in the same neighbourhood, verbally abused him and slapped him. Respondent No. 2 thereafter made a PCR call. It is further alleged that, at about 4:30 PM on the same day, the petitioners herein entered the house of respondent No. 2 armed with knives, whereupon a scuffle ensued between the parties.

4. The petitioners and respondent No. 2 have since amicably resolved their disputes, as recorded in a Memorandum of Understanding dated 12.03.2026, which contemplates payment of a sum of Rs. 5,50,000/- towards full and final settlement of all disputes between the parties. The parties confirm that the said amount has been paid in terms thereof.

5. Learned counsel for the parties submit that the disputes between the parties arose in relation to rights over a terrace. It is further submitted that the civil proceedings instituted by respondent No. 2 against the petitioners also stand settled. It may also be noted that the settlement was arrived at within a short period of the incident in question.

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

7. I am also informed that, although the Medico-Legal Certificate records injuries caused by a sharp weapon, the injuries have been opined to be simple in nature. There is no allegation of any lasting injury or permanent damage.

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 482 of the CrPC [corresponding to Section 528 of the BNSS], 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 dispute between neighbours in relation to rights over a terrace. As noted above, although the Medico-Legal Certificate records injuries caused by a sharp weapon, the injuries have been opined to be simple in nature. The allegations, therefore, do not implicate any wider public interest or disclose grave criminality. Applying the principles laid down by the Supreme Court, it is also relevant that respondent No. 2 has affirmed before this Court that the settlement, which was arrived at within a short period of the incident in question, has been entered into voluntarily. In these circumstances, the continuation of the criminal proceedings is unlikely to result in a conviction and would serve no useful purpose, while only contributing to the burden on the criminal justice system and resulting in unnecessary consumption of public resources.

11. In view of the foregoing discussion, the petition is allowed, and FIR No. 76/2026 dated 01.03.2026, registered at Police Station Malviya Nagar, District South, Delhi, under Sections 333/118(1)/115(2)/351(2)/351(3)/3(5) of the BNS, alongwith all consequential proceedings arising therefrom, is hereby quashed.

12. However, having regard to the circumstances giving rise to the impugned FIR, the petitioners are directed to undertake community service. The petitioners are, accordingly, directed to report to the Medical



Superintendent, Pt. Madan Mohan Malaviya Hospital, Malviya Nagar, New Delhi, on 29.05.2026 at 11:30 AM. The petitioners shall perform community service for four sessions of two hours each, over the next two months. The Medical Superintendent is requested to assign suitable duties to them, either separately or collectively, and to issue a certificate of compliance upon completion of the aforesaid period. The petitioners shall place the same on record within two weeks thereafter.

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

14. The petition accordingly stands disposed of.

PRATEEK JALAN, J

MAY 19, 2026

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