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

+ **CRL.M.C. 2613/2026**

MUZIBUR REHMAN @PAPPU ANSARI AND ORS

.....Petitioner

Through: Mr. Durgesh Gupta, Advocate with
Petitioners in person.

versus

THE STATE GOVT OF NCT OF DELHI AND ORS

.....Respondent

Through: Mr. Hitesh Vali, APP for State
with SI Manika, PS Jagatpuri
Mr. Pawan Varma and Mr. Raj
Kumar, Advocates with R-2, 3 and
4

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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08.04.2026

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. 288/2021 dated 08.08.2021, registered at Police Station Jagatpuri, under Sections 323, 341, 354, 506, and 34 of the Indian Penal Code, 1860 ["IPC"], alongwith all proceedings arising therefrom, on the ground that the parties have amicably settled the dispute.

2. Issue notice. Mr. Hitesh Vali, learned Additional Public Prosecutor, accepts notice on behalf of the State. Mr. Pawan Varma,



learned counsel, accepts notice on behalf of respondent Nos. 2 to 4.

3. The petitioners are physically present in Court and have been identified by their learned counsel as well as by the Investigating Officer. Respondent Nos. 2 to 4 are present through video conference and have likewise been identified by their respective learned counsel and the Investigating Officer.

4. The petition is taken up for consideration and disposal with the consent of the learned counsel appearing for the parties.

5. According to the FIR, the complainant reported that on 06.08.2021, his 21-year-old daughter allegedly scolded certain children who were creating disturbance outside their residence. Subsequently, the family members of the children, namely the petitioners herein, alongwith others, are alleged to have physically assaulted her. When the complainant, his wife, and son intervened to prevent the assault, they too were allegedly attacked. It is further alleged that during the course of the incident, one of the accused misbehaved with the complainant's daughter by touching her inappropriately and making threatening gestures.

6. A chargesheet was subsequently filed on 15.09.2021.

7. I am informed that the allegation under Section 354 of the IPC has arisen from a misunderstanding that occurred during the course of the altercation between the parties.

8. During the pendency of the proceedings, the parties have amicably settled their dispute, as recorded in a Memorandum of Understanding dated 09.06.2024, without any monetary consideration.

9. Learned counsel for the parties have confirmed before this Court that the settlement has been arrived at voluntarily and without any



coercion, undue influence, or pressure.

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

11. The Supreme Court has held that, in appropriate circumstances, High Courts may, in exercise of their inherent powers under Section 528 of the BNSS (corresponding to Section 482 of the CrPC), quash criminal proceedings, including those relating to non-compoundable offences, where a compromise has been reached between the accused and the complainant, provided that no overriding public interest is prejudiced.

12. 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

¹ (2012) 10 SCC 303.



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.”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.

² Emphasis supplied.

³ (2014) 6 SCC 466.



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.”⁴

13. The offences alleged in the subject FIR stem from a neighbourhood dispute between parties who are well-acquainted, and the incident did not result in any serious or lasting injury. The allegation under Section 354 of the IPC, in particular, has been clarified by the respondent Nos. 2 to 4 as having arisen from a misunderstanding. There is no indication that the dispute bears any broader societal impact or involves elements of public interest or heinous criminality. In view of the private and essentially civil nature of the conflict, the parties have voluntarily chosen to resolve their differences amicably, a position expressly affirmed before this Court by the respondent Nos. 2 to 4, thereby highlighting the consensual and voluntary character of the settlement.

14. In these circumstances, the continuation of the criminal

⁴ Emphasis supplied.



proceedings is unlikely to result in any conviction and would serve no meaningful purpose, while imposing an unnecessary burden on the judicial system and expending public resources. Quashing the said FIR, on the other hand, would give effect to the amicable settlement arrived at between the parties and would further the ends of justice by putting a quietus to the dispute, thereby enabling the parties to coexist peacefully in the same locality.

15. In view of the foregoing, the petition is allowed. FIR No. 288/2021 dated 08.08.2021, registered at Police Station Jagatpuri under Sections 323, 341, 354, 506, and 34 of the IPC, alongwith all consequential proceedings arising therefrom, is hereby quashed, subject to the payment of costs amounting to Rs. 20,000/- to be paid collectively by the petitioners into 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 be filed within two weeks thereafter.

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

17. The petition, accordingly, stands disposed of.

PRATEEK JALAN, J

APRIL 8, 2026

'SV'/SD/