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

+ CRL.M.C. 1907/2025

RAVINDER KUMAR & ANR.

.....Petitioners

Through: Mr. Gaurav Malik, Ms. Yashika,
Advocates.

versus

STATE OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Hitesh Vali, APP. HC Sumit,
SI Pinki, PS-Sultan Puri.
Ms. Sakshi Mor, Advocate for R-
2&3.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **06.02.2026**

1. The petitioners have approached this Court 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. 107/2018, dated 20.02.2018, registered at Police Station Sultanpuri, Delhi, for offences punishable under Sections 323/341/506/34 of the Indian Penal Code, 1860, alongwith all proceedings emanating therefrom, on the ground that the disputes between the parties have been amicably settled.

2. Issue Notice. Notice is accepted by Mr. Hitesh Vali, learned Additional Public Prosecutor, appearing on behalf of the State, and Ms. Sakshi Mor, learned counsel, appearing on behalf of respondent Nos. 2 and 3.

3. The petition is taken up for disposal with the consent of learned counsel for the parties.

4. The petitioners are present in Court and identified by their counsel and the Investigating Officer ["IO"]. Respondent Nos. 2 and 3 are also



present and have been duly identified by learned counsel and the IO.

5. The impugned FIR was registered at the instance of respondent No. 2, who is a neighbor of the petitioners. The allegations arise out of a dispute in the locality where the parties reside, which is stated to have originated over loud noise levels emanating from the factory of the petitioners. The incident resulted in a scuffle between the parties, leading to respondent No. 2 sustaining injuries.

6. A charge sheet was also subsequently filed. Charges under Sections 509/452 of the IPC were added against the petitioners.

7. The disputes between the parties were subsequently resolved by an amicable settlement *vide* a Settlement Agreement dated 03.01.2024.

8. Pursuant to the Settlement Agreement, the petitioners approached the Magistrate's Court for compounding of offences. The Magistrate's Court *vide* order dated 06.02.2025, compounded offences under Sections 323/341/506/509/34 of the IPC, and the petitioners were thus acquitted under the said offences, with a direction for proceedings to continue in respect of Section 452 of the IPC, as it was a non-compoundable offence.

9. In light of the aforesaid, the petitioners have approached this Court seeking quashing of the impugned FIR.

10. Although Section 452 of the IPC is non-compoundable, 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. 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 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.

¹ (2012) 10 SCC 303.

² Emphasis supplied.

³ (2014) 6 SCC 466.



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.”⁴

11. In the present case, it is evident that the parties were known to each other and are residents of the same locality. The proceedings stem from an incident arising out of a dispute over noise pollution, during which simple injuries were sustained by one of the complainants. Parties are still living in the same neighborhood and wish to bury the hatchet. No overriding public interest is discernible in permitting the continuation of the criminal proceedings, which arise from a private dispute between neighbors, and stands fully resolved. Compoundable offences have already been compoundable. In the light of these facts, it is evident that the continuation of criminal proceedings is unlikely to result in conviction, and would serve no practical purpose, amounting merely to a formal exercise that would unnecessarily burden the administration of justice and expend public resources.

12. In view of the foregoing, the petition is allowed. Accordingly, FIR No. 107/2018 dated 20.02.2018, registered at Police Station Sultanpuri, Delhi, for offences punishable under Sections 323/341/506/34 of the BNS alongwith all proceedings emanating therefrom, is hereby quashed.

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

14. The petition, alongwith pending application, stands disposed of.

PRATEEK JALAN, J

FEBRUARY 6, 2026 ‘Bhupi’/AD/

⁴ Emphasis supplied.