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

+ CRL.M.C. 2884/2026 & CRL.M.A. 11748/2026

DEEPAK SHARMA @ DEEPAK @ SONU & ORS.....Petitioners

Through: Mr. Saddam Hussain, Advocates
alongwith P1 to 3 through VC.

versus

THE STATE (NCT OF DELHI) & ANR.Respondents

Through: Mr. Hitesh Vali, APP for State.
SI Sunil, PS Adarsh Nagar.
R2 in person through VC.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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17.04.2026

1. By way of this petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"] (corresponding to Section 482 of the Code of Criminal Procedure, 1973 ["CrPC"]), the petitioners seek quashing of FIR No. 192/2016 dated 08.04.2016, registered at Police Station Adarsh Nagar, District North-West, New Delhi, for offences punishable under Sections 308/341/506/34 of the Indian Penal Code, 1860 ["IPC"], alongwith all proceedings emanating therefrom, on the ground that the disputes between the parties have been amicably settled.
2. Issue notice. Mr. Hitesh Vali, learned Additional Public Prosecutor, accepts notice on behalf of the State. Respondent No. 2 – complainant appears in person through video conference, and declines the assistance of counsel.



3. The parties are neighbours. The impugned FIR was registered at the instance of respondent No. 2, alleging that, at approximately 11:30 PM on 07.04.2016, while he was returning home after parking his vehicle, petitioner No. 1, who was in an inebriated condition, obstructed his path and asserted that the nephew of respondent No. 2 had abused his cousin [petitioner No. 3 herein]. Petitioner No. 1 was thereafter joined by petitioner Nos. 2 and 3, as well as one Radheshyam, stated to be the father of petitioner No. 3, whereupon a scuffle ensued between the parties. Upon completion of the investigation, a chargesheet came to be filed.

4. I am informed that Radheshyam has since passed away; the proceedings against him, therefore, stand abated.

5. During the pendency of the proceedings, the parties arrived at an amicable settlement, as recorded in a Memorandum of Understanding/Compromise Deed dated 10.03.2026. In light of the aforesaid, the petitioners have approached this Court seeking quashing of the impugned FIR.

6. The petitioners are present in Court through video conference, and have been identified by their learned counsel as well as the Investigating Officer. Respondent No. 2 is also present through video conference, and has been duly identified by the Investigating Officer.

7. The settlement does not entail any monetary consideration, and records that the parties, being neighbours, wish to maintain cordial relations. The parties further confirm that the settlement has been entered into voluntarily, and without any coercion or undue pressure.

8. The Medico-Legal Certificate dated 08.04.2016, issued by Babu



Jagjivan Ram Memorial Hospital, New Delhi, records that the injuries suffered by respondent No. 2 were simple in nature.

9. Although the offence under Section 308 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 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.

10. The Supreme Court, in *Gian Singh v. State of Punjab and Anr.*¹, 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.

¹ (2012) 10 SCC 303.



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 and Ors. v. State of Punjab and 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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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. The present matter arises out of a misunderstanding between parties who are neighbours. Applying the principles laid down by the Supreme Court, it is pertinent to note that respondent No. 2 has affirmed the voluntary nature of the settlement before the Court. Accordingly, having regard to the nature of the dispute, the simple injuries involved, the absence of any larger societal impact, and the voluntary settlement arrived at between the parties, I am of the view that the continuation of the criminal proceedings would serve no useful purpose and is unlikely to culminate in a conviction. Rather, it would result in an unnecessary expenditure of judicial time and impede the restoration of harmony between the parties.

12. In view of the foregoing, the petition is allowed, and FIR No. 192/2016 dated 08.04.2016, registered at Police Station Adarsh Nagar, District North-West, New Delhi, for offences punishable under Sections 308/341/506/34 of the IPC, alongwith all proceedings emanating

⁴ Emphasis supplied.



therefrom, is hereby quashed.

13. However, considering that the criminal justice machinery had been set in motion and that considerable time of both the State and the Court has been expended, the petitioners are directed to collectively deposit costs of Rs. 15,000/- with the Delhi High Court Bar Association [A/C No. 15530110179338, IFSC No. UCBA0001553, Bank Name: UCO Bank, Branch: Delhi High Court], within two weeks from today. An affidavit of compliance shall be filed within two weeks thereafter.

14. The petition, alongwith pending application, is accordingly disposed of.

PRATEEK JALAN, J

APRIL 17, 2026

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