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

+ **CRL.M.C. 3010/2026**

RISHABH JAIN AND ORS

.....Petitioners

Through: Mr. Jaskaran Singh Bhandari,
Advocate.

versus

STATE NCT OF DELHI & ANR

.....Respondents

Through: Ms. Manjeet Arya, APP.

R-2 in person.

SI Sonu Kumar, PS Vivek Vihar

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **21.04.2026**

CRL.M.A. 12249/2026 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 3010/2026

1. By way of this petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioners seek quashing of FIR No. 22/2026, dated 17.01.2026, registered at P.S. Vivek Vihar, New Delhi, under Sections 110/351/3(5) of the Bharatiya Nyaya Sanhita, 2023, alongwith all consequential proceedings arising therefrom, on the basis of a settlement between the parties.

2. Ms. Manjeet Arya, learned Additional Public Prosecutor, points that there was another injured by the name of Rohit in the impugned FIR, however he has not been impleaded as a party to this petition.



3. At the request of Mr. Jaskaran Singh Bhandari, learned counsel for the petitioner, Rohit is impleaded as respondent No. 3. Amended memo of parties has been handed up in Court, and is taken on record.
4. Issue notice. Ms. Arya accepts notice on behalf of the State. Respondent Nos. 2 and 3, who are present in Court, accept notice. They do not seek legal assistance.
5. The petitioners are present before the Court and have been duly identified by the Investigating Officer ["IO"] as well as by their learned counsel. Respondent Nos. 2 and 3 are also present in Court, and have also been identified by the IO.
6. The incident is stated to have originated from a dispute arising out of respondent No. 3's refusal to assist the petitioners when petitioner No. 1's car failed to start. The FIR was registered at the instance of respondent No. 2, who alleged that on 16.01.2026, when he arrived to pick up respondent No. 3 from his workplace, he witnessed the petitioners assaulting him. Upon intervening, respondent No. 2 was allegedly slapped and attacked on the head with a sharp object by petitioner No. 1.
7. I am informed that the injuries sustained were simple in nature for both the victims.
8. During the pendency of the proceedings, the parties amicably resolved their disputes by way of a Settlement Deed executed between them on 06.04.2026. The settlement contemplated payment of Rs. 1,00,000/- by the petitioners to respondent No. 2.
9. Respondent No.2 has already filed an affidavit in support of the petition, and has affirmed the settlement. The statement of Rohit has been



recorded separately. He has made the statement in Hindi, which has been translated into English by me and explained to him.

10. The parties have confirmed before this Court that they have settled their disputes amicably and do not wish to pursue the criminal proceedings against each other.

11. Even in cases involving non-compoundable offences, the Supreme Court has consistently held that, in appropriate cases, the High Court may exercise its inherent jurisdiction to quash an FIR and the proceedings arising therefrom on the basis of a settlement between the parties. In *Gian Singh v. State of Punjab and Anr.*¹, the Supreme Court 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

¹ (2012) 10 SCC 303.



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.

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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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

12. The present case stems from a dispute arising out of Respondent No. 3's refusal to assist in starting Petitioner No. 1's car, which ultimately culminated in a scuffle. During the pendency of the proceedings, the parties have resolved their disputes amicably by way of a settlement, and the injuries sustained by respondent No. 2 and 3, are stated to be simple in nature. In view of these circumstances, I am of the view that the present case warrants the exercise of its inherent jurisdiction, as such an order would advance the ends of justice by enabling the parties to live in peace and harmony rather than perpetuating animosity.

13. Applying the principles enunciated by the Supreme Court, it is further noted that respondent No. 2 and 3 have categorically affirmed before this Court that the settlement has been arrived at voluntarily. In the

⁴ Emphasis supplied.



given factual matrix, the continuation of the criminal proceedings is unlikely to culminate in a conviction and would amount to an empty formality, thereby unnecessarily burdening the judicial system and leading to the avoidable consumption of public resources.

14. The settlement amount of Rs. 1,00,000/- has been received by respondent No. 2. There is, therefore, no impediment to the grant of the relief sought.

15. The petition is, accordingly, allowed, and of FIR No. 22/2026 dated 17.01.2026, registered at P.S. Vivek Vihar, New Delhi, under for the offences punishable under Sections 110, 351 and 3(5) of BNS, alongwith all consequential proceedings arising therefrom, is hereby quashed.

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

17. The petition, alongwith the pending applications, is accordingly disposed of.

PRATEEK JALAN, J

APRIL 21, 2026
SS/AD/