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

+ **CRL.M.C. 3088/2026, CRL.M.A. 12549/2026 & CRL.M.A. 12550/2026 & CRL.M.A. 12551/2026**

DILIP KUMAR MEHTO & ORS.Petitioners

Through: Mr. Raju Atulla, Mr. Irfan Ahmad,
Ms. Harshita, Ms. Kanishka,
Advocates with petitioners in
person.

versus

STATE (NCT OF DELHI) & ORS.Respondents

Through: Mr. Hitesh Vali, APP with SI Om
Prakash, PS Prem Nagar
Appearance not given for R2 to
R6.

+ **CRL.M.C. 3098/2026, CRL.M.A. 12577/2026 & CRL.M.A. 12578/2026 & CRL.M.A. 12579/2026**

SANTOSH YADAV & ORS.Petitioner

Through: Appearance not given

versus

STATE (NCT OF DELHI) & ORS.Respondents

Through: Mr. Hitesh Vali, APP ASI Ramesh
Kumar, PS Prem Nagar
Mr. Raju Atulla, Mr. Irfan Ahmad,
Ms. Harshita, Ms. Kanishka,
Advocates with respondents in
person

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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21.05.2026

1. The present petitions under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"] (corresponding to Section 482 of the



Code of Criminal Procedure, 1973 [“CrPC”]) seek quashing of FIR No. 333/2024 [subject matter of CRL.M.C. 3088/2026] and FIR No. 332/2024 [subject matter of CRL.M.C. 3098/2026], both registered on 14.06.2024 at P.S. Prem Nagar, Rohini, for offences punishable under Sections 323/341/34 of the Indian Penal Code, 1860 [“IPC”], on the ground that the disputes between the parties have been amicably resolved pursuant to a settlement arrived at between them.

2. I am, however, informed by learned counsel for the parties that, at the stage of filing of the chargesheet in FIR No. 332/2024, an offence under Section 308 IPC was also invoked, and charges under Sections 308/34 IPC have consequently been framed in the said FIR *vide* order dated 23.04.2025.

3. Issue notice. Mr. Hitesh Vali, learned Additional Public Prosecutor, accepts notice on behalf of the State. Learned counsel accepts notice on behalf of respondent Nos. 2 to 6 in CRL.M.C. 3088/2026, and Mr. Raju Atulla, learned counsel accepts notice on behalf of respondent Nos. 2 to 4 in CRL.M.C. 3098/2026.

4. The parties are present in Court and have been identified by their respective counsel, as well as by the Investigating Officer. The petitions are taken up for disposal with the consent of learned counsel for the parties.

5. The disputes between the parties, who are neighbours, arose on account of the placement of bricks and debris on the street in connection with ongoing construction work, which subsequently escalated into a physical altercation and resulted in the registration of the present cross-FIRs. The petitioners in CRL.M.C. 3088/2026 are arrayed as respondents



in of CRL.M.C. 3098/2026, and *vice versa*.

6. In FIR No. 333/2024, which is the subject matter of CRL.M.C. 3088/2026, the complainant therein [petitioner No.1 in CRL.M.C. 3098/2026] alleged that on 13.06.2024 at about 9:00 PM, while he was present near Shiv Shakti Mandir, Gautam Nagar, Prem Nagar-III, Delhi, the accused persons, wrongfully restrained and assaulted him in connection with a dispute relating to the placement of bricks and debris lying on the street during the construction of a temple. It was alleged that the accused persons abused him, caught hold of him, threw him to the ground, and assaulted him with fists and kicks.

7. On the other hand, in FIR No. 332/2024, which is the subject matter of CRL.M.C. 3098/2026, the complainant therein [petitioner No. 1 in CRL.M.C. 3088/2026], alleged that on the same day, while construction work was being carried out at his plot and bricks had been placed nearby, the accused therein [respondent No. 2 in CRL.M.C. 3088/2026], objected to the same and asked him to remove the bricks. This led to an altercation during which the complainant was allegedly struck on the head with a brick.

8. Although, in FIR No. 332/2024, it was alleged that the complainant had been struck on the head with a brick, leading to the invocation of Section 308 IPC, the injuries sustained by the parties have been opined to be simple in nature. No sharp-edged weapon or firearm is alleged to have been used in the commission of the offence. The complainant is present before this Court and submits that his injuries have since been treated and healed completely, and that he does not wish to pursue the criminal proceedings any further. He further states that there is no lasting impact



of the injuries suffered by him.

9. The parties have since amicably resolved their disputes *vide* a Memorandum of Understanding dated 08.04.2026, without any monetary compensation. Affidavits of the respective complainants, conveying their no objection to the quashing of the impugned FIRs and all consequential proceedings arising therefrom, have also been placed on record.

10. Further, the complainants in both cases, who are present in person before the Court, submit that the allegations levelled against each other arose out of a misunderstanding pertaining to a neighborhood dispute. They affirm before the Court that they have amicably settled their disputes and do not wish to pursue the criminal proceedings against each other any further.

11. In view of the aforesaid, the parties seek quashing of the impugned FIRs and all proceedings emanating therefrom.

12. The Supreme Court has consistently held that the High Courts, while exercising jurisdiction under Section 482 of the CrPC [corresponding to Section 528 of the BNSS], are empowered, in appropriate cases, to quash criminal proceedings involving even non-compoundable offences where the parties have amicably resolved their disputes, particularly when such quashing does not adversely affect any larger public or societal interest. In *Gian Singh v. State of Punjab and Anr.*¹, the 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

¹ (2012) 10 SCC 303.



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, which concerned an offence under Section 307 of the IPC, 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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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

13. In the present case, the impugned FIRs arise out of a purely personal dispute between neighbours concerning the placement of bricks and debris during ongoing construction work, which, in the heat of the moment, escalated into a physical altercation leading to the registration of

⁴ Emphasis supplied.



cross-cases against each other. The allegations do not disclose any element of public harm or heinous criminality having a wider societal impact so as to warrant continuation of the proceedings despite the settlement arrived at between the parties.

14. Although Section 308 IPC came to be invoked in FIR No. 332/2024, the injuries sustained have since healed completely, and the complainant himself states that there is no lasting effect thereof. It is also significant that the parties continue to reside in the same locality and have consciously chosen to restore cordial relations by amicably resolving their disputes and agreeing to bury the hatchet. The settlement has been arrived at voluntarily and without any monetary consideration, which further reflects the genuine intent of the parties to bring quietus to the matter, rather than perpetuating any further animosity between the neighbours.

15. The respective complainants, who are present before this Court, have categorically affirmed that the dispute arose out of a misunderstanding and that they do not wish to pursue the criminal proceedings any further. In such circumstances, the possibility of the proceedings culminating in a conviction appears remote and continuation of the prosecution would serve no useful purpose. Rather, it would only result in unnecessary consumption of judicial time and public resources, while further burdening the criminal justice system.

16. The petitions are, therefore, allowed, and FIR No. 333/2024 [subject matter of CRL.M.C. 3088/2026] and FIR No. 332/2024 [subject matter of CRL.M.C. 3098/2026], both registered on 14.06.2024 at P.S. Prem Nagar, Rohini, for offences punishable under Sections 323/341/34



of IPC, alongwith all consequential proceedings emanating therefrom, are hereby quashed.

17. However, having regard to the aforesaid facts and circumstances, the petitioners in each case are directed to collectively pay 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.

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

19. Accordingly, the petitions, alongwith pending applications, stand disposed of.

PRATEEK JALAN, J

MAY 21, 2026
'sv'/SD/