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

+ CRL.M.C. 3259/2026, CRL.M.A. 13243/2026

ASHISH JONEJA

.....Petitioner

Through: Mr. Faiz Imam, Advocate with
petitioner in person.

versus

STATE OF N.C.T. OF DELHI AND OTHERS

.....Respondent

Through: Mr. Hitesh Vali, APP for State
Appearance not given with R2&3
in person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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28.04.2026

CRL.M.A. 13243/2026 (for exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.M.C. 3259/2026

1. The petitioner has filed 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"]), seeking quashing of FIR No. 124/2025, dated 07.05.2025, lodged at Police Station Hazrat Nizamuddin, under Sections 281/125 of the Bharatiya Nyaya Sanhita, 2023 ["BNS"], on the ground of settlement.
2. Issue notice. Mr. Hitesh Vali, learned Additional Public Prosecutor, accepts notice on behalf of the State. Learned counsel accepts notice on behalf of respondent No. 2.



3. The petitioner is present in Court, and is identified by his learned counsel, and the Investigating Officer [“IO”]. Respondent Nos. 2 and 3 are also present in Court and have been identified by their learned counsel and the IO.
4. The impugned FIR was registered at the instance of respondent No. 2 against the petitioner, which arises out of a road traffic accident dated 05.05.2025 near Mori Gate, wherein respondent Nos. 2 and 3 sustained injuries.
5. Pursuant to the investigation, a chargesheet was filed.
6. During the pendency of the proceedings, the parties entered into a Settlement Agreement dated 10.12.2025.
7. Learned counsel for the parties submit that the settlement has been entered into voluntarily, without force, fraud or coercion, and that continuation of the criminal proceedings would serve no useful purpose.
8. The injuries suffered by respondent Nos. 2 and 3 have been classified in the MLCs as “simple”.
9. Respondent Nos. 2 and 3 have also filed affidavits stating that they have no objection to quashing of the FIR and the consequential proceedings. Respondent Nos. 2 and 3 state that they are satisfied with the settlement.
10. In light of the aforesaid, the parties seek quashing of the impugned FIR.
11. The Supreme Court has clearly held that, in certain circumstances, the High Courts, in exercise of their powers under Section 482 of CrPC [corresponding to Section 528 of 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.

12. In *Gian Singh v. State of Punjab and Anr.* [(2012) 10 SCC 303], 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 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.”

[Emphasis supplied.]

13. The present case arises out of a road traffic accident. There is no



allegation of any deliberate or intentional act. The injuries suffered by respondent Nos. 2 and 3 were also stated to be simple. The parties have, thereafter, amicably resolved all their *inter se* disputes, and respondent Nos. 2 and 3 has categorically affirmed before this Court that the settlement has been entered into voluntarily. In view of the nature of the allegations, the subsequent settlement between the parties, the likelihood of conviction is remote. Continuation of the criminal proceedings in such circumstances would, therefore, be an exercise in futility, serving no useful purpose and resulting only in an unnecessary consumption of judicial time and public resources.

14. The settlement contemplates a payment of Rs. 1,40,000/- to respondent Nos. 2 and 3, who state that the entire amount has already been received by them. There is therefore no impediment in granting the relief sought.

15. Having regard to the above discussion, the petition is allowed, and of FIR No. 124/2025, dated 07.05.2025, lodged at Police Station Hazrat Nizamuddin, District South East, under Sections 281/125 of the 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 stands disposed of.

PRATEEK JALAN, J

APRIL 28, 2026

'sv'/AD/