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

+ **W.P.(CRL) 1437/2026 & CRL.M.A. 13843/2026**

KAPOOR CHAND SHARMA & ORS.Petitioners

Through: Mr. Akshit Tomar, Advocate.

versus

THE STATE OF NCT OF DELHI & ANR.Respondents

Through: Mr. Sanjay Lao, SC. ASI Sherpal Singh, PS-Madhu Vihar.

Mr. Kuldeep Singh, Adv. For respondent No. 2

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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04.05.2026

1. By way of the present petition under Article 226 of the Constitution, the petitioners seek quashing of FIR No. 6/2026 dated 05.01.2026 registered at Police Station Madhu Vihar, District East, Delhi, for offences punishable under Sections 115/126(2) of the Bharatiya Nyaya Sanhita, 2023 ["BNS"] along with all consequential proceedings arising therefrom, on the ground of settlement.

2. Issue notice. Notice is accepted by Mr. Sanjay Lao, learned Standing Counsel, accepts notice on behalf of the State. Mr. Kuldeep Singh, learned counsel, accepts notice on behalf of respondent No. 2.

3. The parties reside in the same neighbourhood in Madhu Vihar. On 04.01.2026, respondent No. 2 received a call from one Manish at about 3:00 PM. Thereafter, respondent No. 2, alongwith Manish and two other



persons, namely Mohit and Parvesh, went out for smoking cigarettes. During this time, an altercation took place with certain persons, including petitioner No. 1 and his associates. In the course of the scuffle, respondent No. 2 was allegedly assaulted and sustained injuries. Someone from the neighbourhood informed the police helpline, and the injured were taken to Lal Bahadur Shastri Hospital. Consequently, the subject FIR was registered on 05.01.2026. During the course of investigation, offences under Sections 110/3(5) of the BNS were added.

4. It is also noted that, as on date, the chargesheet has not been filed.

5. During the pendency of the investigation, the parties have settled their disputes amicably by way of a Settlement Agreement dated 28.04.2026, without any monetary consideration. Affidavit of respondent No. 2 has been placed on record, affirming the voluntary nature of the settlement and conveying his no objection to the quashing of the impugned FIR and all consequential proceedings.

6. I have heard the learned counsel for the parties. The parties are present in Court and have been duly identified by the Investigating Officer as well as by their respective counsel.

7. Learned counsel for the parties submit that the disputes arose from a minor disagreement. The parties have amicably resolved their differences and do not wish to pursue the criminal proceedings any further. They continue to reside in the same locality and desire to maintain cordial relations and peace, without any ongoing animosity.

8. Although the final report regarding the nature of injuries sustained by respondent No. 2 is awaited, respondent No. 2 states before the Court that the injuries were not of a lasting nature and that the parties have



amicably resolved their dispute.

9. In light of the aforesaid, the parties seek quashing of the impugned FIR and all consequential proceedings emanating therefrom.

10. It is well settled that, even in respect of non-compoundable offences, the High Court may, in appropriate cases, exercise its extraordinary powers under Article 226 of the Constitution to quash criminal proceedings on the basis of 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 made compoundable, the High Court may within the framework of its inherent power, quash the criminal proceeding or criminal

¹ (2012) 10 SCC 303.



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 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.

² Emphasis supplied.

³(2014) 6 SCC 466.



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 from an FIR lodged between parties residing in the same neighbourhood, stemming from a minor altercation during a social interaction which escalated into a scuffle. The parties have since amicably resolved their disputes through a Settlement Agreement dated 28.04.2026 and have affirmed the voluntary nature of the settlement. The complainant has stated before the Court that the injuries sustained were simple and not of a lasting nature. Having regard to the nature of the dispute, the injuries involved, and the absence of any larger societal impact, continuation of the proceedings would serve no useful purpose and is unlikely to result in conviction. Rather, it would lead to unnecessary expenditure of judicial time and hinder restoration of harmony between the parties.

12. The petition is, accordingly, allowed. FIR No. 6/2026 dated 05.01.2026, registered at P.S. Madhu Vihar, District East, Delhi, under Sections 115/126(2) of the BNS, alongwith all consequential proceedings arising therefrom, is hereby quashed, subject to the petitioners undertaking community service at Dr. Lal Bahadur Sastri Hospital. The petitioners are accordingly directed to report to the Medical

⁴ Emphasis supplied.



Superintendent of the said Hospital on 11.05.2026 at 11:00 AM., who shall assign appropriate duties to the petitioners for 3 hours a day for 6 sessions, to be completed within the next two months, either collectively or separately, with the nature and timing of such duties to be determined by the Medical Superintendent. The Medical Superintendent is requested to issue a certificate of compliance upon completion of the community service. The petitioners shall place the said certificate on record within two weeks thereafter.

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

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

PRATEEK JALAN, J

MAY 4, 2026
‘Bhupi/JM’/