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

+ CRL.M.C. 3807/2026 & CRL.M.A. 15437/2026

SONU

.....Petitioner

Through: Mr. Ajay Kumar, Mr. Yash Arora,
Advocates.

versus

THE STATE & ORS.

.....Respondent

Through: Ms. Manjeet Arya, APP. SI
Deepak, PS-Bindapur. ASI
Mukesh Kumar, PS-Ranhola.
Mr. Ravi Kumar, Ms. Angel Raju,
Advocates for R-2 to 4.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **14.05.2026**

1. The petitioner has filed the present 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. 84/2020 dated 15.01.2020, registered at Police Station Bindapur, Delhi, under Section 324 of the Indian Penal Code, 1860 ["IPC"], along with all consequential proceedings arising therefrom, on the ground that the parties have amicably settled the dispute.

2. Issue notice. Ms. Manjeet Arya, learned Additional Public Prosecutor, accepts notice on behalf of the State, and Mr. Ravi Kumar,



learned counsel, accepts notice on behalf of respondent Nos. 2 to 4.

3. The petitioner is present in Court and has been identified by his learned counsel as well as the Investigating Officer. Respondent Nos. 2 to 4 are also present and have been identified by their learned counsel and the Investigating Officer.

4. The petition is taken up for disposal with the consent of the parties.

5. The impugned FIR was registered at the instance of respondent No. 2, who is the brother of the petitioner. The other injured victims, respondent Nos. 3 and 4, are his mother and another brother, respectively.

6. Respondent No. 2 lodged a complaint alleging that on 13.01.2020, he had an altercation with his younger brother, i.e., the petitioner herein, over the issue of filling water. It is further alleged that on 15.01.2020 at about 07:30 AM, when the complainant went to start the water motor, the petitioner allegedly assaulted him with a knife, as a result of which he sustained an injury on the right side of his back. It is further stated that upon the complainant raising an alarm, his elder brother [respondent No. 4] came to his aid and sustained an injury on his right thigh in the course of the altercation, and their mother [respondent No. 3], who intervened in an attempt to rescue them, also sustained an injury on her left hand. Consequently, all the injured persons were taken to Deen Dayal Upadhyay Hospital for medical treatment.

7. As per the Medico-Legal Case [“MLC”] reports, the injuries sustained by respondent Nos. 2 to 4 were opined to be simple in nature. The said MLC reports also form part of the chargesheet, which was filed on 13.02.2021 under Section 324 of the IPC, upon completion of the investigation.



8. Mr. Kumar submits that the present FIR arises out of a domestic dispute between the parties relating to the filling of water at their shared residence, during which the alleged incident occurred. It is further submitted that, as reflected in the MLC reports, the injuries sustained are simple in nature, though caused by a sharp-edged object. He further states that the alleged weapon was a kitchen knife, and that there is no lasting or grievous impact on the injured persons. Ms. Arya also confirms that the injuries are simple in nature.

9. Since the dispute is between members of the same family, the parties have amicably settled their disputes by way of a Memorandum of Understanding dated 22.04.2026. In terms of the said settlement, the parties have agreed to live peacefully in the future in their respective portions of the property along with their respective families.

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

11. Learned counsel for the parties confirm that the settlement has been entered into voluntarily and without any coercion or undue pressure.

12. The Supreme Court has consistently held that High Courts, in exercise of their inherent powers under Section 528 of the BNSS (corresponding to Section 482 of the CrPC), may quash criminal proceedings on the basis of a settlement between the parties, including in cases involving non-compoundable offences, where the dispute is predominantly private in nature and the continuation of proceedings would not advance any larger public interest.



13. The Supreme Court, in *Gian Singh v. State of Punjab & Anr.*¹ has 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.”²

Further, in *Narinder Singh & Ors. v. State of Punjab & Anr.*³, the Supreme Court has also laid down guidelines for High Courts while

¹ (2012) 10 SCC 303.

² Emphasis supplied.

³ (2014) 6 SCC 466.



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.

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

14. In the present case, the proceedings arise out of a family dispute pertaining to the filling of water at the shared residence, where all the parties continue to reside. Although the allegations involve the use of a sharp-edged object, the injuries sustained are simple in nature, and have not resulted in any lasting or grievous consequences. In such circumstances, continuation of the proceedings is likely to only exacerbate the strained *inter se* relations between the parties and perpetuate further animosity, notwithstanding their continued cohabitation in the same premises.

15. Applying the principles laid down by the Supreme Court, it is also relevant that respondent Nos. 2 to 4 have, in unequivocal terms, affirmed before the Court that the settlement has been arrived at voluntarily and without any coercion. In view thereof, the continuation of criminal proceedings is unlikely to culminate in a conviction and would thus serve no meaningful purpose, apart from constituting an empty formality and resulting in an avoidable burden on the criminal justice system.

16. However, having regard to the circumstances giving rise to the impugned FIR, this Court finds merit in the suggestion made by Ms. Arya that the present case would be appropriate for directing the petitioner to undertake community service.

17. Having regard to the above discussion, the petition is allowed and FIR No. 84/2020 dated 15.01.2020, registered at Police Station Bindapur,

⁴ Emphasis supplied.



Delhi, under Section 324 of the Indian Penal Code, 1860, along with all consequential proceedings arising therefrom, is hereby quashed, subject to the petitioner undertaking community service at Indira Gandhi Hospital, Sector-9, Dwarka, New Delhi. The petitioner is accordingly directed to report to the Medical Superintendent of the said hospital on 25.05.2026 at 11:00 AM, who shall assign appropriate duties to the petitioner for 2 hours a day for 6 sessions, to be completed within the next 2 months, 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 petitioner shall place the said certificate on record within two weeks thereafter.

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

19. The petition, alongwith the pending applications, accordingly stands disposed of.

PRATEEK JALAN, J

MAY 14, 2026

“B”/SD/