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

+ CRL.M.C. 3768/2026

SH. CHETAN PRAKASH @CHETAN AND ANRPetitioner

Through: Mr. Faraz Khan, Mr. Anil Nitin,
Advs.

versus

THE STATE (GOVT. OF NCT
OF DELHI) AND ANR

.....Respondent

Through: Mr. Yudhvir Singh Chauhan, APP
for State.
Mr. Kautaliya Sharma for R2.
R-2 in Person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **14.05.2026**

CRL.M.A. 15307/2026 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 3768/2026

1. The petitioners have approached this Court 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. 379/2025, dated 09.07.2025, registered at Police Station Harsh Vihar, Delhi, for offences punishable under Sections 110/126(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 ["BNS"], alongwith all proceedings emanating therefrom, on the ground that the disputes between the parties have been amicably settled.

2. Issue notice. Mr. Yudhvir Singh Chauhan, learned Additional Public Prosecutor, accepts notice on behalf of the State. Mr. Kautaliya



Sharma, learned counsel, accepts notice on behalf of respondent No. 2.

3. The petitioners are present in Court and identified by their counsel and the Investigating Officer [“IO”]. Respondent No. 2 is also present in Court and has been duly identified by his learned counsel and by the IO.

4. The impugned FIR was registered at the instance of respondent No. 2. The petitioners and respondent No. 2 are stated to be living in the same locality. Respondent No. 2 alleged that on 07.07.2025, around 6:15 PM, went downstairs and sat near the gate of Parshuram Park, Mandoli Extension, Delhi, with his friends, when one man, who was later identified as petitioner No. 1, approached them and questioned why they were sitting there. When they got up and started leaving, the said person allegedly stopped the complainant, grabbed his collar and started assaulting him. Respondent No. 2 further alleged that while friends fled from the spot, the petitioners continued to assault and injure him.

5. A charge sheet has been filed against the petitioners. The case is pending before the Court of Judicial Magistrate First Class, District Shahdara, Karkardooma Courts, Delhi.

6. I am informed that the injuries sustained are simple in nature, and there was no use of any sharp weapon or firearm.

7. During the pendency of the case, the parties arrived at an amicable settlement recorded in a Memorandum of Understanding dated 24.03.2026.

8. Learned counsel for the parties submit before the Court that the settlement was entered into voluntarily, without force, fraud or coercion, and that continuation of the criminal proceedings would serve no useful purpose.



9. In light of the aforesaid, the petitioner has approached this Court seeking quashing of the impugned FIR.

10. The Supreme Court has clearly held that, in certain circumstances, the High Courts, in exercise of their powers under Section 528 of BNSS (corresponding to Section 482 of CrPC), 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.

11. 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

¹ (2012) 10 SCC 303.



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. In the present case, the parties are known to each other and reside in the same locality. They continue to live in the same locality and have amicably resolved their differences. The injuries sustained are also stated to be simple and there is no use of any sharp weapon or firearm. No overriding public interest would be served by permitting the criminal proceedings, which emanate from a private dispute, to continue, particularly when the matter stands fully settled. In the light of these facts, it is evident that the continuation of criminal proceedings is unlikely to result in any conviction, and would serve no practical purpose, amounting merely to a formal exercise that would unnecessarily burden the administration of justice and expend public resources.

13. In view of the foregoing, the petition is allowed. Accordingly, FIR No. 379/2025, dated 09.07.2025, registered at Police Station Harsh Vihar, Delhi, for offences punishable under Sections 110/126(2)/3(5) of the



BNS, alongwith all proceedings emanating therefrom, is hereby quashed.

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

15. The petition, alongwith pending application, is accordingly disposed of.

MAY 14, 2026
'pv'/AD/

PRATEEK JALAN, J

⁴ Emphasis supplied.