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

+ CRL.M.C. 3826/2026

BHAGWAN MISHRA AND ORSPetitioners

Through: Mr. Sharad Chandra Jha, Advocate

versus

THE STATE NCT OF DELHI AND ANRRespondents

Through: Mr. Hitesh Vali, APP for State
with SI Rahul Rathi, PS Sangam
Vihar

Appearance not given for R-2 with
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **15.05.2026**

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. 453/2018 dated 04.11.2018, registered at Police Station Sangam Vihar for offences punishable under Sections 323, 452, 506, and 34 of the Indian Penal Code, 1860 ["IPC"], alongwith all proceedings emanating therefrom, on the ground that the disputes between the parties have been amicably settled.

2. Issue notice. Mr. Hitesh Vali, learned Additional Public Prosecutor, accepts notice on behalf of the State. Learned counsel for respondent No. 2 appears through video conferencing and accepts notice on behalf of respondent No. 2.

3. The petitioners are present before the Court and have been identified by their learned counsel as well as by the Investigating Officer.



Respondent No. 2 is also present and has been duly identified by her learned counsel and the Investigating Officer.

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

5. The parties are neighbours residing in the same locality. Petitioner Nos. 1 and 2 are husband and wife, while petitioner Nos. 3 and 4 are their children. The impugned FIR came to be registered at the instance of respondent No. 2 on allegations that, on 26.10.2017, the petitioners herein conspired against respondent No. 2 and her family, forcibly entered her house, and assaulted her and her son. It was further alleged that the petitioners were armed with hockey sticks and iron rods, and that petitioner No. 1, during the course of the altercation, tore the blouse of respondent No. 2.

6. Upon completion of the investigation, a chargesheet was filed on 10.02.2019 against the petitioners under Sections 323, 452, 506, and 34 IPC. As per the Medico-Legal Certificate [“MLC”] forming part of the chargesheet, the injuries sustained were opined to be simple in nature and caused by a blunt object. Learned counsel for respondent No. 2 further submits that the injuries did not have any lasting impact.

7. During the pendency of the proceedings, the parties amicably resolved their disputes and entered into a settlement on 18.08.2025. Consequently, taking note of the said settlement, the learned Trial Court, by order dated 04.09.2025, compounded the offences under Sections 323, 506, and 34 IPC, and granted liberty to the parties to approach this Court for quashing of the FIR insofar as the offence under Section 452 IPC is concerned.



8. Although the son of respondent No. 2 is also stated to be one of the victims in the present case, he has not been arrayed as a party in the present petition. However, he is present before the Court today and submits that he has also amicably resolved the disputes with the petitioners and does not wish to pursue the present proceedings any further insofar as they pertain to him.

9. Learned counsel for the parties submit before this Court that the settlement has been entered into voluntarily and out of the parties' free will, without any force, fraud, or coercion. It is further submitted that, in view of the amicable resolution of disputes, continuation of the criminal proceedings would serve no useful purpose.

10. While the offence under Section 452 IPC is non-compoundable in nature, the Supreme Court has consistently held that the High Courts, in exercise of their inherent powers under Section 528 of the BNSS (corresponding to Section 482 CrPC), may quash criminal proceedings even in respect of non-compoundable offences where the parties have amicably resolved their disputes and no overriding 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

¹ (2012) 10 SCC 303.



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 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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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

12. In the present case, the parties are known to each other and continue to reside in the same locality. The criminal proceedings arise out of a neighbourhood dispute which, with the passage of time, has been amicably resolved between them. It is significant to note that the offences

⁴ Emphasis supplied.



under Sections 323, 506, and 34 IPC already stand compounded before the learned Trial Court pursuant to the settlement arrived at between the parties. Further, as reflected in the Medico-Legal Certificate forming part of the chargesheet, the injuries sustained were simple in nature, caused by a blunt object, and did not result in any lasting impact. The allegations also do not involve use of any sharp-edged weapon or firearm. In these circumstances, permitting the proceedings to continue would serve no overriding public interest and would only perpetuate discord between parties who continue to live in close proximity to one another. Having regard to the nature of the dispute, the settlement arrived at between the parties, and the overall facts and circumstances of the case, this Court is of the view that the possibility of conviction is remote and continuation of the proceedings would amount to a futile exercise, resulting only in unnecessary expenditure of judicial time and public resources.

13. In view of the foregoing discussion and the settlement arrived at between the parties, the present petition is allowed. Accordingly, FIR No. 453/2018 dated 04.11.2018, registered at Police Station Sangam Vihar for offences punishable under Sections 323, 452, 506, and 34 IPC, alongwith all consequential 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.

PRATEEK JALAN, J

MAY 15, 2026/Sv/SD/