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

+ CRL.M.C. 3996/2026 & CRL.M.A. 16189/2026

MEENAKSHI BHATNAGAR & ORS.

.....Petitioners

Through: Mr. Samrat Nigam, Sr. Advocate
with Ms. Arpita Rawat, Mr.
Abhishek Verma, Advocates for
petitioners with petitioners in
person.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Manjeet Arya, APP with Mr.
Abhimanyu Arya, Advocate.
Mr. Zahid Ali Gahlot, Advocate
for R-2 with R-2 in person.
SI Vipin, PS: Mukherjee Nagar.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **19.05.2026**

1. The petitioners have 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. 266/2014 dated 15.03.2014, registered at Police Station Mukherjee Nagar, New Delhi, under Sections 323/354/506/34 of the Indian Penal Code, 1860 ["IPC"], and all proceedings emanating therefrom, on the ground of settlement.

2. Issue notice. Ms. Manjeet Arya, learned Additional Public Prosecutor, accepts notice on behalf of the State. Mr. Zahid Ali Gahlot,



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

3. The parties are present in Court, and have been duly identified by the Investigating Officer as well as their respective learned counsel.

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

5. The impugned FIR was registered at the instance of respondent No. 2, who alleged that on 15.06.2013, MCD officials demolished the second floor being constructed by the complainant's father, alongwith a portion of the adjoining property of one Mukat Behari Lal, who was also a member of the same family. It was alleged that thereafter, the accused persons forcibly entered the complainant's house, abused the complainant and her family members, and assaulted her father, her brother, and pushed her mother. When the complainant intervened, she was also allegedly assaulted. She further alleges that Mukat Behari Lal and petitioner No. 4 tore her clothes and molested her.

6. Upon completion of investigation, a chargesheet was filed. One of the accused, Mukat Behari Lal, has since passed away on 05.05.2021. The proceedings against him therefore stand abated. A death certificate has been annexed to the petition. I am also informed that two of the victims, being the complainant's parents, have also since died.

7. During the pendency of the proceedings, the parties have entered into a settlement, as recorded in a Compromise Deed dated 16.05.2026.

8. Learned counsel for the parties confirm that the settlement has been entered into voluntarily, without any coercion or undue pressure, and do not wish to pursue the criminal proceedings against each other.



9. The FIR also contains an allegation that the complainant's brother suffered certain injuries. However, he is present in Court, and states that he does not oppose the settlement. It is also noted that he was a witness to the settlement dated 16.05.2026.

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 the CrPC [corresponding to Section 528 of the 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. The Supreme Court, in *Gian Singh v. State of Punjab and Anr.* [(2012) 10 SCC 303], 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.]

Further, in *Narinder Singh and Ors. v. State of Punjab and Anr.* [(2014) 6 SCC 466], 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.

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.”

[Emphasis supplied.]

13. In the present case, the offences alleged in the subject FIR arises out of a dispute between parties, who belong to the same family, and live in adjoining houses. I am also informed that the MLC of the complainant shows simple injuries and no lasting injuries. The dispute is thus essentially private in nature, and does not involve any element of public interest or offences of a heinous nature. Applying the tests laid down by the Supreme Court, it may be observed that respondent No. 2 has categorically affirmed the voluntary nature of the settlement before the Court. In these circumstances, the criminal proceedings are unlikely to result in a conviction, and their continuation would be a mere formality, adding to the burden on the justice system and unnecessarily consuming public resources.

14. However, considering the time and effort of the State machinery in investigating and prosecuting the present FIR, the petitioners are directed



to deposit costs of Rs. 25,000/- collectively with the Delhi High Court Bar Association [A/C No. 15530110179338, IFSC No. UCBA0001553, Bank Name: UCO Bank, Branch: Delhi High Court], within two weeks from today. An affidavit of compliance shall be filed within two weeks thereafter.

15. Having regard to the above discussion, the petition is allowed, and FIR No. 266/2014 dated 15.03.2014, registered at Police Station Mukherjee Nagar, New Delhi, under Sections 323/354/506/34 of the IPC, alongwith all consequential proceedings arising therefrom, is hereby quashed.

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

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

PRATEEK JALAN, J

MAY 19, 2026
SS/AD/