



\$~71 & 11 Q

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

+ CRL.M.C. 4272/2026

SAMARTH RASTOGI & ANR.

.....Petitioners

Through: Ms.Priyanka Singh and
Mr.Aruneash Gupta, Advocates
with petitioners in person.

versus

STATE & ORS.

.....Respondents

Through: Ms. Manjeet Arya, APP for State
with IO
Mr. Mohit Kapoor and Ms. Urvi
Yadav, Advocates for R-2

+ W.P.(CRL) 1634/2026

RISHABH JAIN AND ORS

.....Petitioners

Through: Mr. Mohit Kapoor and Ms. Urvi
Yadav, Advocates

versus

STATE GOVT OF NCT DELHI & ORS.

.....Respondents

Through: Ms. Manjeet Arya, APP for State
with IO
Ms.Priyanka Singh and Mr.
Aruneash Gupta, Advocates with
petitioners in person

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **26.05.2026**

1. The present petitions have been filed seeking quashing of two FIRs, being FIR No. 96/2023 for offences punishable under Sections 323/354/354A/506/509/34 of the Indian Penal Code, 1860 ["IPC"]



(subject matter of CRL.M.C. 4272/2026), and FIR No. 94/2023 for offences punishable under Sections 323/354/354A/509/34 of the IPC (subject matter of W.P.CRL 1634/2026), alongwith all consequential proceedings emanating therefrom, on the basis of a settlement arrived at between the parties. Both FIRs were registered on 24.03.2023 at Police Station Hazrat Nizamuddin, South East District, Delhi.

2. Issue notice. Ms. Manjeet Arya, learned Additional Public Prosecutor, accepts notice on behalf of the State in both petitions. Mr. Mohit Kapoor, learned counsel, accepts notice on behalf of respondent No. 2 in CRL.M.C. 4272/2026. Ms. Priyanka Singh, learned counsel, accepts notice on behalf of the respondents in W.P.CRL. 1634/2026.

3. The cross-FIRs emanate from the same incident dated 23.03.2023 and have their genesis in disputes arising from a proposed matrimonial alliance between two of the parties. The other parties are members of their families.

4. In FIR No. 96/2023, the allegation is that on 23.03.2023, during a meeting held at Jangpura, New Delhi, in relation to a proposed marriage alliance, the accused persons allegedly assaulted the complainant, her husband, and her mother-in-law. It is alleged that accused Samarth Rastogi used criminal force against the complainant and touched her inappropriately with the intention of outraging her modesty. The complainant further alleged that the accused persons abused and threatened the family with dire consequences and demanded a sum of Rs. 50 lakhs in connection with cancellation of the marriage arrangement. Allegations were also made regarding snatching of certain jewellery items during the incident.



5. Upon completion of investigation, the chargesheet was filed under Sections 323/354/354A/356/379/506/509/34 of the IPC.

6. On the other hand, FIR No. 94/2023 was registered at the instance of the complainant, alleging that during the said meeting held on 23.03.2023 at her advocate's office in Jangpura Extension, the accused persons, namely Vinni Jain, Rishabh Jain and Savita Jain, assaulted and abused her and her brother. It was alleged that Rishabh Jain grabbed her shirt, pulled her to the ground, physically assaulted her, and touched her inappropriately with the intention of outraging her modesty, while Vinni Jain and Savita Jain allegedly pulled her hair and joined in the assault. The complainant further alleged that Savita Jain snatched her brother's gold chain and locket, and that the accused persons threatened to kill her and her family.

7. Upon completion of investigation, the chargesheet was filed under Sections 323/356/354/354(A)/354(B)/506/509/34 of the IPC.

8. The Medico-Legal Case ["MLC"] reports in both cases depict simple injuries.

9. During the pendency of the proceedings, with the intervention of common friends, relatives, and family members, the parties entered into an amicable settlement *vide* Memorandum of Understanding dated 10.04.2026. The settlement agreement bears the signatures of the parties, their respective counsel, and the learned Mediator. Under the terms of the settlement, the parties agreed to resolve all their disputes arising out of the cross-FIRs and to exchange and return the articles belonging to each other. The parties further agreed not to initiate any civil or criminal proceedings against each other or their respective family members in



relation to the disputes forming the subject matter of the aforesaid FIRs and undertook to maintain peace and cordial relations in future.

10. Affidavits of the respective complainants, signifying their no objection to the quashing of the impugned FIRs and all consequential proceedings arising therefrom, have also been placed on record.

11. I have heard learned counsel for the parties. Some of the parties are present in Court, while others are appearing on video conference, and they have been identified by the Investigating Officer and their respective counsels.

12. The complainants in both cases state that the allegations against each other arose out of a misunderstanding, in the context of a possible matrimonial alliance between the two families. They confirm before the Court that they have settled their disputes and do not wish to proceed with the criminal proceedings against each other.

13. Learned counsel for the parties affirm that the settlement was entered into voluntarily between the parties, without any coercion or undue influence.

14. In light of the aforesaid, the parties seek quashing of the impugned FIRs.

15. Even in the case of non-compoundable offences, the Supreme Court has held that, in appropriate cases, the Court may quash the FIR on the ground of settlement. In *Gian Singh v. State of Punjab and Anr.* [(2012) 10 SCC 303], 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 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.]

16. The present petitions arise out of cross-FIRs, namely FIR No. 94/2023 and FIR No. 96/2023, which stem from the same incident dated 23.03.2023 and have their genesis in disputes arising from a proposed matrimonial alliance between the respective families of the parties. The allegations pertain to an altercation that took place during a meeting convened for settlement of issues relating to the broken engagement and exchange of articles. The injuries reflected in the MLCs are simple in nature, and no weapon has been used. The parties have amicably resolved all their disputes by way of a Memorandum of Understanding dated



10.04.2026. They have further affirmed the settlement through affidavits and have categorically stated that the compromise has been arrived at voluntarily, without any coercion, undue influence or pressure, and that they have no objection to the quashing of the criminal proceedings. In these circumstances, the possibility of securing convictions appears remote and continuation of the proceedings would serve no meaningful purpose, while unnecessarily burdening the judicial system. This Court is, therefore, of the considered view that the present case is a fit one for exercise of inherent jurisdiction under Section 528 of BNSS, to secure the ends of justice and to promote lasting peace and harmony between the parties.

17. The petitions are therefore allowed, and FIR No. 96/2023 dated 24.03.2023 for offences punishable under Sections 323/354/354A/506/509/34 of the Indian Penal Code, 1860, [“IPC”] (subject matter of CRL.M.C. 4272/2026) and FIR No. 94/2023 dated 24.03.2023 for offences punishable under Sections 323/354/354A/509/34 of the IPC (subject matter of W.P.CRL. 1634/2026), both registered at Police Station Hazrat Nizamuddin, alongwith all consequential proceedings emanating therefrom, are hereby quashed.

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

19. Accordingly, the petitions stand disposed of.

PRATEEK JALAN, J

MAY 26, 2026
‘pv/JM’/