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

+ **CRL.M.C. 3359/2025**

BHUPENDER PAL @ SONU

.....Petitioner

Through: **Mr. Kameshwar Mishra, Advocate.**

versus

STATE (NCT OF DELHI) & ANR.

.....Respondent

Through: **Ms. Manjeet Arya, APP with Mr. Abhimanyu Arya, Adv. SI Vineet.**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **13.05.2026**

1. The petitioner has 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. 69/2017 dated 24.01.2017, registered at Police Station Mukherjee Nagar under Section 354 of the Indian Penal Code, 1860 ["IPC"], alongwith all consequential proceedings arising therefrom, on the ground that the parties have amicably resolved their disputes and entered into a settlement.
2. Issue notice. Ms. Manjeet Arya, learned Additional Public Prosecutor, accepts notice on behalf of the State. Respondent No.2, who is present in Court, also accepts notice, and submits that she does not wish to avail the assistance of counsel.
3. The petitioner is present in Court and has been identified by



learned counsel appearing on his behalf as well as by the Investigating Officer. Respondent No.2 is also present in Court and has been identified by the Investigating Officer.

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

5. The petitioner and respondent No.2 are stated to be closely related and belong to the same family. The present FIR came to be registered at the instance of respondent No.2, who alleged that she had come into contact with one Arun in the year 2015, and had thereafter remained in touch with him. It is further alleged that in the year 2016, while respondent No.2 was accompanying the said Arun, his wife made a call to the police, pursuant to which officials from Police Station Mukherjee Nagar reached the spot. Thereafter, respondent No.2 was taken to the residence of her paternal aunt, where she stayed for some time. Respondent No.2 alleged that during her stay there, she was not permitted to leave the premises and that the petitioner herein, who is the son of her paternal aunt and her cousin, touched her inappropriately, leading to the registration of the present FIR.

6. Upon completion of investigation, a chargesheet was subsequently filed on 17.07.2017.

7. During the pendency of the present proceedings, the parties have amicably resolved their disputes and entered into a settlement, which has been duly recorded in a Compromise Deed dated 04.11.2024.

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

9. Respondent No.2 states that she has entered into the settlement voluntarily, and is fully satisfied with its terms, despite the absence of any



monetary consideration. She further submits that the allegations levelled under Section 354 IPC arose out of a misunderstanding, and that she has no objection to the quashing of the present FIR and all consequential proceedings arising therefrom.

10. In light of the aforesaid, parties seek quashing of the impugned FIR.

11. The Supreme Court has consistently recognised that the High Courts, while exercising their inherent jurisdiction under Section 528 of the BNSS (corresponding to Section 482 CrPC), are empowered to quash criminal proceedings on the basis of a settlement between the parties, even in cases involving non-compoundable offences, where the dispute is essentially private in nature and continuation of the proceedings would not serve any larger public interest.

12. 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

¹ (2012) 10 SCC 303.



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 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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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

13. In the present case, the dispute emanates from a family relationship between the parties. Respondent No.2 has categorically stated before this Court that the allegations under Section 354 IPC arose on account of a misunderstanding and has further affirmed that the settlement entered into between the parties is voluntary and without any coercion or undue influence. In view of the principles laid down by the Supreme Court governing the exercise of inherent powers in cases involving settlement between parties, I am of the view that continuation of the present criminal

⁴ Emphasis supplied.



proceedings would serve no meaningful purpose and would only perpetuate animosity and discord within the family. Moreover, in light of the stand taken by respondent No.2, the likelihood of the proceedings culminating in a conviction appears remote. Consequently, permitting the proceedings to continue would merely result in unnecessary expenditure of judicial time and public resources, without advancing the ends of justice.

14. In view of the foregoing, the present petition is allowed. Consequently, FIR No. 69/2017 dated 24.01.2017, registered at Police Station Mukherjee Nagar under Section 354 IPC, alongwith all consequential proceedings arising therefrom, stands quashed.

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

16. The petition, alongwith any pending applications, accordingly stands disposed of.

PRATEEK JALAN, J

MAY 13, 2026
SS/SD/