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

+ CRL.M.C. 4361/2025

HARSH SEHRAWAT AND ORS.Petitioners

Through: Mr. Ashish Kumar, Advocate.

versus

STATE OF NCT OF DELHI AND ANRRespondents

Through: Mr. Tarang Srivastava, APP for
State.

Mr. Mohit Mann, Advocate for R2.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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28.01.2026

1. By way of 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"]), the petitioners seek quashing of FIR No. 144/2025 dated 17.03.2025, registered at Police Station Bawana, District Outer North, New Delhi, under Sections 110/324(4)/3(5) of the Bharatiya Nyaya Sanhita, 2023 ["BNS"], alongwith consequential proceedings emanating therefrom, on the ground that the parties have amicably settled their disputes.

2. The impugned FIR was registered at the instance of respondent No.2. The facts, as emerging therefrom, are that on 16.03.2025, respondent No. 2 had gone to get a door handle installed in his car, when his car was hit from behind by a scooty. Thereafter, petitioner No. 1, alongwith his associates, started pelting stones at his car and assaulting him with sticks and stones. Respondent No. 2 was taken to Maharishi Valmiki Hospital, Pooth Khurd, New Delhi, after the incident. The



Medico-Legal Certificate shows that the nature of injuries were simple.

3. The parties have since settled their disputes, as recorded in a Compromise Deed dated 30.05.2025. In light of the aforesaid, the parties seek quashing of the impugned FIR.

4. The petitioners are present in Court and have been identified by their learned counsel as well as by the Investigating Officer [“IO”]. Respondent No. 2 is also present in person, and has been identified by his learned counsel and the IO.

5. The Compromise Deed dated 30.05.2025 records that a sum of Rs.6,25,000/- has been paid by the petitioners to respondent No. 2. Learned counsel for the parties also confirm that the settlement has been entered into voluntarily and without any coercion or undue pressure. The injuries are also simple in nature.

6. Although the offence under Section 110 of the BNS [corresponding to Section 308 of the Indian Penal Code, 1860] is non-compoundable, the Supreme Court has clearly held that, in certain circumstances, the High Courts, in exercise of their powers under Section 528 of the BNSS [corresponding to Section 482 of the 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.

7. 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.]

8. In the present case, petitioner No. 1 and respondent No. 2 were known to each other. A quarrel ensued upon a relatively small traffic accident, in which the injuries sustained were simple in nature. The parties have also expressed a desire to put the past dispute behind them. There does not appear to be any overriding public interest in keeping the proceedings alive. Applying the tests laid down by the Supreme Court, it



may be observed that the respondent No. 2 has also categorically affirmed the voluntary nature of the settlement before the Court. In these circumstances, the criminal proceedings are unlikely to result in conviction, and its continuation would be an empty formality, adding to the burden of the justice system and consuming public resources unnecessarily.

9. In view of the above discussion, the petition is allowed, and FIR No. 144/2025 dated 17.03.2025, registered at Police Station Bawana, District Outer North, New Delhi, under Sections 110/324(4)/3(5) of the BNS, alongwith all consequential proceedings arising therefrom, is hereby quashed.

10. Having regard to the circumstances giving rise to the impugned FIR, I accept the suggestion of Mr. Tarang Srivastava, learned Additional Public Prosecutor, that this is a fit case for imposing an order of community service upon the petitioners. The petitioners are directed to report to the Medical Superintendent, Maharishi Valmiki Hospital, Pooth Khurd, New Delhi, on 04.02.2026 at 11:30 AM. The Medical Superintendent is requested to assign them suitable tasks, either together or separately, for four hours a day for a period of 30 days. The Medical Superintendent will fix the nature of duties, the time of duties, and the period of duties. The petitioners are directed to file a compliance affidavit alongwith a certificate from the hospital by 20.03.2026.

11. The petition stands disposed of.

PRATEEK JALAN, J

JANUARY 28, 2026/‘pv/KA’/