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

\# **CNR No. DLHC010426952026**

\+ CRL.M.C. 6698/2026 & CRL.M.A. 27972/2026

MOHSIN @MOSIN ALI AND ORS. .....Petitioners

Through: Mr. Lokesh Kumar, Mr. Vinay Kumar and Ms. Shreya Thakur, Advocates.
Petitioners in person.

versus

STATE OF GNCT DELHI AND ORS. .....Respondents

Through: Mr. Rajkumar, APP for State.
SI Arvind Kumar, PS: New Ashok Nagar.
R-2 & 3 in person.

CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL

O R D E R

% 28.10.2026

CRL.M.A. 27972/2026 (*exemption*)

1. Allowed, subject to all just exceptions.

CRL.M.C. 6698/2026

2. The present petition has been filed seeking quashing of FIR No.515/2017 dated 1st September, 2017 for offences under Sections 308/325/341/34 of the Indian Penal Code, 1860 (IPC) registered at Police Station New Ashok Nagar, Delhi and the proceedings arising therefrom, on basis of settlement.

3. Issue Notice.

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4. Notice is accepted by APP appearing on behalf of the State and by respondents no.2 and 3 who appear in person.

5. A quarrel broke out between the petitioners/accused persons and the complainant *i.e.* respondents no.2 and 3, on account of a road rage which resulted in both parties sustaining injuries. Subsequently the FIR came to be registered by respondent no.2 against the petitioners. The Charge Sheet has already been filed.

6. Now the parties have settled all their disputes *vide* Settlement Deed which was executed on 24th August, 2026 and has been placed on record as Annexure P-2 to this petition.

7. It is well settled that, even in the case of non-compoundable offences, the High Court may exercise inherent powers, recognized by Section 482 of the Cr.P.C. [corresponding to Section Section 528 of BNSS], to quash proceedings based on a compromise between the parties. However, the aforesaid power is discretionary and subject to certain principles which guide the Court in adjudicating an application of this nature. In this regard, reference may be made to the observations of the Supreme Court in ***Gian Singh v. State of Punjab***,[1] wherein the Hon'ble Court observed as follows:

> *"61. The position that emerges from the above discussion can be summarised thus: the power of the High Court in quashing a criminal proceeding or FIR or complaint in exercise of its inherent jurisdiction is distinct and different from the power given to a criminal court for compounding the offences under Section 320 of the Code. Inherent power is of wide plenitude with no statutory limitation but it has to be exercised in accord with the guideline engrafted in such power viz; (i) to secure the ends of justice or (ii) to prevent abuse of the process of any Court. In what cases power to quash the criminal proceeding or complaint or F.I.R may be exercised where the offender and victim have settled their dispute would depend on the facts and circumstances of each case and no category can be prescribed. However, before exercise of such power,*

[1] (2012) 10 SCC 303.

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the High Court must have due regard to the nature and gravity of the crime. Heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. cannot be fittingly quashed even though the victim or victim's family and the offender have settled the dispute. Such offences are not private in nature and have serious impact on society....”

8. In the affidavit of respondent no.2 placed on record in the present petition, it has been stated that the disputes between the parties have been resolved and the respondent no.2 supports the quashing of the present FIR. The respondents no.2 and 3 are present in Court and have been identified by the Investigating Officer (‘IO’). They inform the Court that they have settled the matter out of their own free will and without any coercion. They further state that they do not wish to pursue the present FIR any further and have no objection if the present petition is allowed.

10. The petitioners are also present in Court and have been identified by their counsel and the IO. They affirm the statement of the respondents and undertake to abide by the terms of settlement arrived at between the parties.

11. Considering the above affidavit and settlement between the parties, there is no use continuing with the proceedings under the present FIR as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer. Hence, it would be in the interest of justice to quash the aforementioned FIR and the proceedings pursuant thereto.

12. Even though the matter has been settled, the FIR was lodged in the year 2017 and the parties have settled the matter after 9 years. The petitioners, on account of their acts and omissions have wasted considerable time of the police and the courts in the present matter. In these circumstances, the petitioners would be liable to pay costs, which would be utilized for socially beneficial causes.

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13. Consequently, FIR No.515/2017 registered at Police Station New Ashok Nagar on basis of settlement and the consequential proceedings pursuant thereto are hereby quashed, subject to the petitioners paying costs of Rs.20,000/- each to Delhi State Legal Services Authority at Rouse Avenue Courts Complex, New Delhi, 110002 for the purpose of "providing counselling to victims in POCSO matters", within two weeks from today.

14. The necessary compliance report shall be filed with the Registry within four weeks from today

15. The petition stands disposed of accordingly.

AMIT BANSAL, J

OCTOBER 28, 2026
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