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

\# **CNR No. DLHC010464322026**

\+ W.P.(CRL) 3033/2026 & CRL.M.A. 30319/2026

VARUN SEHGAL .....Petitioner

Through: Mr. Raman Kumar, Mr. Ziaul Haq, Mr. Abhay Yadav and Mr. Nishanth Jain, Advs., along with petitioner in person.
Mob: 8447108278
Email: advocateziaul@gmail.com

versus

STATE OF NCT OF DELHI AND ORS. .....Respondents

Through: Mr. Rahul Tyagi, ASC (Crl.) with Ms. Priya Rai, Mr. Aniket Kumar Singh, Mr. Neetish Singh, Ms. Kirti Sharma and Mr. Priyansh Raj Singh, Advs. for State
Mob: 9818460146
Email: rt.advocate@gmail.com
Respondent nos. 2 to 4 in person.

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

O R D E R

% 29.10.2026

1. The present writ petition has been filed under Article 226 of the Constitution of India, 1950 ("Constitution") read with 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 the First Information Report ("FIR"), being *FIR No. 61/2019*,

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dated 12th April, 2019, registered at Police Station ("PS") Preet Vihar, East, Delhi, under Sections 384/511/323 of the Indian Penal Code, 1860 ("IPC"), and all consequential proceedings emanating therefrom, on the ground of settlement between the parties.

2. Issue Notice.

3. Notice is accepted by the learned Additional Standing Counsel ("ASC") for the State as well as by respondent nos. 2 to 4.

4. The parties, i.e., the petitioners as well as respondent nos. 2 to 4 are present before this Court, and are duly identified by the petitioners' counsel as well as the Investigating Officer ("IO"), who is also present before this Court.

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

6. The relevant facts for the adjudication of the captioned petition, culled out from the documents on record, are as follows:

6.1. The FIR in question, i.e., *FIR No. 61/2019* dated 12th April, 2019, came to be registered pursuant to a complaint lodged by the complainant, i.e., Smt. Sushma Kapoor alleging that Mr. Varun Sehgal, Mathematics Teacher at Sneh International School, New Rajdhani Enclave, Delhi, had been mentally and physically harassing her son, Master Hitanshu Kapoor, who was studying in Class XI-A, by pressurising him to take private tuition from him and threatening to ensure that he failed in the examination. She further alleged that the said teacher had, on several occasions, slapped her son, particularly on the side of his face where he had a pre-existing medical condition, and had thereby caused him physical and mental trauma.

6.2. It was further alleged that the said teacher demanded money in

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exchange for ensuring that her son passed the examination and threatened to fail the student if failed to pay the demanded amount of money.

6.3. The complainant further alleged that she was in possession of voice recordings of conversations between the mobile numbers allegedly used by the said teacher and herself, which she intended to hand over to the police. She also alleged that despite approaching the Chairman of the school and submitting a written complaint on 01st April, 2019, no action was taken against the said teacher.

6.4. Upon completion of the investigation, the Final Report/Chargesheet was filed by the Investigating Officer ("IO") before the Additional Chief Metropolitan Magistrate ("ACMM"), Karkardooma Courts, Delhi.

6.5. During the pendency of proceedings, the parties amicably resolved all their disputes *vide* Memorandum of Understanding ("MoU") dated 29th July, 2025, arrived at between the parties outside the Court.

6.6. *Vide* the said MoU the parties agreed to cooperate with each other in quashing of the FIR in question.

7. Learned Counsel appearing for the petitioner and the respondent nos. 2 to 4 jointly submit that they have already settled the dispute by executing a Memorandum of Understanding ("MoU") dated 29th July, 2025, and therefore, pray that the FIR in the question be quashed.

8. The allegations against the petitioner being a teacher are egregious, however, the petitioner is apologetic about his conduct and assures this Court that he will set good example to the society and would not repeat the same offence alleged against him.

9. This Court has interacted with the respondent nos. 2 to 4, who submit that they do not wish to pursue the present matter any further, and that they

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want to move forward in life.

10. This Court has interacted with respondent no. 2, who submits that he has already graduated and now does not wish to pursue the present matter against his school teacher.

11. In light of the aforesaid, the parties seek quashing of the FIR in question.

12. Learned ASC for the State submits that in view of the submissions made before this Court, the State has no serious objection in respect to the present petition.

13. At the outset, this Court notes that it has interacted with the petitioner and accepts the apology tendered by the petitioner.

14. Having heard the learned counsels appearing for the petitioner and respondent nos. 2 to 4, this Court notes that the present matter has been finally settled between the parties.

15. It is no longer *res-integra* that this Court has the power to quash the criminal proceedings in cases of non-compoundable offences under the CrPC, i.e., now the BNSS, wherein, the parties have settled the matter between themselves.

16. The Supreme Court has held that under Section 482 of the CrPC/Section 528 of the BNSS, High Courts may quash criminal proceedings, even with respect to non-compoundable offences, if the concerned parties have arrived at a compromise or settlement, and particularly when no overarching public interest is adversely affected by quashing the same.

17. The Supreme Court in the case of ***Gian Singh Versus State of Punjab and Another, (2012) 10 SCC 303***, has held as follows:

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"xxx xxx xxx

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.*

xxx xxx xxx"

(Emphasis Supplied)

18. It is also to be noted that this Court in the case of ***Deepak Kumar***

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Versus State (Govt. of NCT) of Delhi and Another., 2024 SCC OnLine Del 1305, while quashing an FIR on the basis of settlement between the parties held as follows:

> *"xxx xxx xxx*
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> ***6. Petitioner in the present case seeks to invoke the powers under Section 482 of Code of Criminal Procedure. The same is to be used to secure the ends of justice or to prevent the abuse of process of any Court. In which cases, the power to quash the criminal proceedings or the complaint or FIR may be used when the offender as well as victim have settled their dispute, would depend upon the facts and circumstances of each case and no generalised list or categories can be prescribed. However, the Court is required to give due regard to the nature and gravity of the offence and consider the impact on the society.***
>
> *xxx xxx xxx"*
>
> *(Emphasis Supplied)*

19. Considering the facts and circumstances of the present case, and in view of the categorical statements made by respondent nos. 2 to 4, the present petition is allowed, however subject to payment of cost.

20. Accordingly, it is directed that the petitioner shall pay a sum of Rs. 25,000/- (Rupees Twenty-Five Thousand Only) as cost to the Army Central Welfare Fund, within a period of two weeks, from today.

21. The details of the Army Central Welfare Fund are as follows:

Bank: Union Bank of India
Branch: Sarafa Market, Chandni Chowk, Delhi-110006
IFSC: UBIN0530778
Acct. No: 520101236373338

22. The proof of depositing of the said cost shall be filed in affidavit before this Court, as well as a copy of the same shall also be submitted to the concerned IO, within a period of one week, thereafter.

23. Subject to the payment of the aforesaid cost, the *FIR No. 61/2019*, dated

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12th April, 2019, registered at PS Preet Vihar, East, Delhi, under Sections 384/511/323 of the Indian Penal Code, 1860 ("IPC"), and all other proceedings emanating therefrom, are hereby quashed.

24. With the aforesaid directions, the present petition, along with the pending application, is accordingly disposed of.

MINI PUSHKARNA, J

OCTOBER 29, 2026/SK

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