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

\# **CNR No. DLHC010510522026**

\+ CRL.M.C. 7979/2026 & CRL.M.A. 33316/2026

ARBAAZ AHMAD & ORS. .....Petitioners

Through: Mr. Ravi Rathore, Mr. Pawan and Mr. Niranjan Chaurasia, Advs.

versus

STATE OF NCT OF DELHI & ORS. .....Respondents

Through: Mr. Nawal Kishore Jha, APP for the State, with Ms. Kalpana Jha and Mr. Siddharth Shankar Jha, Advs.
Mob: 9810442918
Ms. Pranshu Pathak and Mr. Sateyendra Mishra, Advs., along with respondents in person
Mob: 8826838746
Email: advpranshupathak@gmail.com
Mr. S. Singh, Inspector, PS Jaitpur

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

O R D E R

% 27.10.2026

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS"), seeking quashing of the First Information Report ("FIR") being *FIR No. 741/2022* dated 15th December, 2022, registered under Sections 323/354/34 of the Indian Penal Code, 1860 ("IPC"), at Police Station ("PS") Jaitpur, South East Delhi, and all consequential proceedings emanating therefrom.

2. Subsequently, upon completion of the investigation, a Chargesheet

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came to be filed by the Investigating Officer ("IO") under Sections 323/354/509/34 of the IPC.

3. Issue notice.

4. Notice is accepted by learned Additional Public Prosecutor ("APP") for the State as well as by learned counsel appearing for respondent nos. 2 to 5.

5. The parties, i.e., the petitioners and respondent nos. 2 to 5 are present in person before this Court and are identified by their respective counsels and the IO.

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

7. It has been brought to the notice of this Court that the petitioners belong to one family, while respondent nos. 2 to 5 belong to another family. Both the families are immediate neighbours residing opposite to each other for more than 10 years.

8. It is noted that the impugned FIR arose out of a misunderstanding between the parties, on account of which a scuffle took place between them.

9. It is submitted that the present is a case of a simple injury, and that a cross-FIR also came to be registered arising out of the same incident.

10. Today, learned counsels appearing for the parties have submitted that the parties have ironed out all their disputes and wish to live amicably in the future without disturbing the peaceful existence of each other. Thus, they do not wish to pursue the present matter any further.

11. In this regard, attention of this Court has been drawn to the Compromise Deed dated 27th February, 2026, executed between the parties.

12. In addition, respondent nos. 2 to 5 have categorically stated before

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this Court that the Compromise Deed has been executed out of their own free will and volition and without any coercion or pressure.

13. Learned APP for the State submits that considering the nature of the dispute between the parties and the fact that they are neighbours, he has no serious objection to the present petition.

14. It is no longer *res integra* that the High Courts may exercise their inherent powers under Section 528 of the BNSS, corresponding to Section 482 of the Code of Criminal Procedure, 1973 ("CrPC"), to 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. The ultimate guiding factors in such cases must be to secure the ends of justice and prevent the abuse of the process of law.

15. In this regard, reliance is placed upon the case of ***Gian Singh Versus State of Punjab and Another, (2012) 10 SCC 303***, wherein the Supreme Court has held as under:

> *"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*

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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)

16. Further, in ***Parbatbhai Aahir Alias Parbatbhai Bhimsinhbhai Karmur and Others Versus State of Gujarat and Another, (2017) 9 SCC 641***, the Supreme Court has summarised the following principles for quashing of criminal proceedings:

"xxx xxx xxx
16. The broad principles which emerge from the precedents on the subject, may be summarised in the following propositions:
16.1. Section 482 preserves the inherent powers of the High Court to prevent an abuse of the process of any court or to secure the ends of justice. The provision does not confer new powers. It only recognises and preserves powers which inhere in the High Court.
16.2. The invocation of the jurisdiction of the High Court to quash a first information report or a criminal proceeding on the ground

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that a settlement has been arrived at between the offender and the victim is not the same as the invocation of jurisdiction for the purpose of compounding an offence. ***While compounding an offence, the power of the court is governed by the provisions of Section 320 of the Code of Criminal Procedure, 1973. The power to quash under Section 482 is attracted even if the offence is non-compoundable.***

16.3. In forming an opinion whether a criminal proceeding or complaint should be quashed in exercise of its jurisdiction under Section 482, the High Court must evaluate whether the ends of justice would justify the exercise of the inherent power.

16.4. While the inherent power of the High Court has a wide ambit and plenitude it has to be exercised (i) to secure the ends of justice, or (ii) to prevent an abuse of the process of any court.

16.5. The decision as to whether a complaint or first information report should be quashed on the ground that the offender and victim have settled the dispute, revolves ultimately on the facts and circumstances of each case and no exhaustive elaboration of principles can be formulated.

16.6. In the exercise of the power under Section 482 and while dealing with a plea that the dispute has been settled, the High Court must have due regard to the nature and gravity of the offence. Heinous and serious offences involving mental depravity or offences such as murder, rape and dacoity cannot appropriately be quashed though the victim or the family of the victim have settled the dispute. Such offences are, truly speaking, not private in nature but have a serious impact upon society. The decision to continue with the trial in such cases is founded on the overriding element of public interest in punishing persons for serious offences.

16.7. As distinguished from serious offences, there may be criminal cases which have an overwhelming or predominant element of a civil dispute. They stand on a distinct footing insofar as the exercise of the inherent power to quash is concerned.

16.8. Criminal cases involving offences which arise from commercial, financial, mercantile, partnership or similar transactions with an essentially civil flavour may in appropriate situations fall for quashing where parties have settled the dispute.

16.9. In such a case, the High Court may quash the criminal proceeding if in view of the compromise between the disputants, the possibility of a conviction is remote and the continuation of a

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criminal proceeding would cause oppression and prejudice; and
xxx xxx xxx"

(Emphasis Supplied)

17. Having regard to the facts and submissions, this Court notes that the parties are neighbours who got involved in a scuffle arising out of a misunderstanding, and that the dispute has since been amicably settled between them. It is also noted that cross-FIRs have been registered against both sides, and that the parties no longer wish to pursue the matter. In these circumstances, this Court finds no impediment in allowing the present petition and quashing the impugned FIR.

18. Accordingly, *FIR No. 741/2022* dated 15th December, 2022, registered at PS Jaitpur, South East Delhi, and all the consequential proceedings arising therefrom, are hereby quashed.

19. The parties shall remain bound by the terms of the Compromise Deed dated 27th February, 2026.

20. The present petition is allowed and disposed of in the aforesaid terms.

21. Pending application also stands disposed of.

MINI PUSHKARNA, J

OCTOBER 27, 2026
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