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

+ CRL.M.C. 5869/2025 & CRL.M.A. 25247/2025

RAJA RAM GUPTA & ORS.Petitioners
Through: Ms. Tanu Gaur, Advocate.

versus

THE STATE OF NCT OF DELHI AND ANRRespondents
Through: Mr. Hitesh Vali, APP. SI Snehlata.
Mr. Tejas Kapoor, Advocate for
complainant.

+ CRL.M.C. 5870/2025 & CRL.M.A. 25066/2025

SATYESHWAR PARSAD & ORS.Petitioners
Through: Mr. Tejas Kapoor, Advocate.

versus

STATE NCT OF DELHI AND ANRRespondents
Through: Mr. Hitesh Vali, APP. SI Snehlata.
Ms. Tanu Gaur, Advocate for
complainant.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **19.02.2026**

1. The present petitions seek quashing of two FIRs, being FIR No. 1027/2017 [subject matter of CRL.M.C. 5869/2025] and FIR No. 1028/2017 [subject matter of CRL.M.C. 5870/2025]. Both FIRs are dated 12.09.2017, lodged at Police Station Aman Vihar, New Delhi, and have been registered for offences punishable under Sections 354(B)/323/506/509/34 of the Indian Penal Code, 1860 ["IPC"]. The



petitions are founded on a settlement arrived at between the parties.

2. Issue notice. Mr. Hitesh Vali learned Additional Public Prosecutor, accept notice on behalf of the State. Mr. Tejas Kapoor, learned counsel, accepts notice on behalf of the complainant in CRL.M.C. 5869/2025. Ms. Tanu Gaur, learned counsel, accepts notice on behalf of the complainant in CRL.M.C. 5870/2025.

3. The petitions are taken up for hearing together with the consent of learned counsel for the parties.

4. The cross-FIRs have been filed by neighbours against each other. Both FIRs arise out of an incident which took place on 11.09.2017. In FIR No. 1027/2017, the allegation against the petitioners in CRL.M.C. 5869/2025 viz. Raja Ram Gupta, Lal Mati @ Lalwati, Poonam Gupta and Radhika Gupta, is that petitioner Nos. 2 to 4 abused the complainant, and assaulted her. There was also an allegation under Section 354(B) against petitioner No.1. On the other hand, in and FIR No. 1028/2017, the allegation against the petitioners in CRL.M.C. 5870/2025, viz. Satyeshwar Parsasd, Jyoti Upadhaya, Ratnesh Kumar Mishra and Bhola @ Naresh Mishra, is that the on the date of the incident, the petitioners threatened and assaulted the complainant and her family due to a financial dispute between the parties. There were also allegations under Section 354 (B) against petitioner Nos.1, 3 and 4.

5. Chargesheets have been filed in both the cases. However, I am informed that cognisance is yet to be taken.

6. During the pendency of the proceedings, all the cases have been settled in terms of a Memorandum of Understanding dated 28.02.2024.

7. All parties are present and are identified by the Investigating



Officer and by their learned counsel. The parties have confirmed before the Court that they have settled their disputes, and do not wish to proceed with the criminal proceedings against each other.

8. The complainant in both the cases are present in Court, and state that allegations under Section 354 (B) were made due to a misunderstanding in connection with a neighbourhood dispute arising out of a financial transaction.

9. The present petitions have now been filed for quashing of the FIRs, with regard to certain non-compoundable offences.

10. Even in the case of non-compoundable offences, the Supreme Court has held that, in appropriate cases, the Court may quash the FIR on the ground of settlement. 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.]

11. The present case is one of dispute between neighbours, which has been settled by way of a compromise. The complainants in both the cases have also submitted before of this Court that allegations under Section 354(B) arises due to a misunderstanding. The injuries suffered by the parties are stated to be simple in nature. The parties are also residing in separate neighbourhoods now. This appears to me to be a fit case, in which inherent power of this Court can be used to quash the cross-FIRs. Such an order would permit the parties to live in peace and harmony, rather than compounding the animosity. As the parties have settled their disputes, and have affirmed the voluntary nature of the settlement, it is also unlikely that further proceedings would result in convictions. Continuation of criminal proceedings in the present FIRs would, in my view, be an unnecessary diversion of judicial resources.

12. The petitions are, therefore, allowed, and all proceedings emanating from being FIR No. 1027/2017 and FIR No. 1028/2017, both dated 12.09.2017, registered at Police Station Aman Vihar, New Delhi, under Sections 354(B)/323/506/509/34 of the IPC, are hereby quashed.



13. The petitions stand disposed of.
14. The parties are bound by the terms of the settlement.

FEBRUARY 19, 2026
SS/AD/

PRATEEK JALAN, J