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

+ CRL.M.C. 5889/2025

ASHU SOLANKI & ANR.

.....Petitioners

Through: Mr. Gaurav Malik, Advocate.

versus

THE STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Ajay Vikram Singh, APP. SI
Braham Prakash.

Ms. Sakshi, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

06.02.2026

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1. The petitioners have filed the present petition under 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 FIR No. 571/2019 dated 05.06.2019, registered at Police Station Sultanpuri, Delhi, under Sections 394/452/34 of the Indian Penal Code, 1860 ["IPC"], alongwith all proceedings emanating therefrom, on the ground that the parties have amicably settled their disputes.

2. The FIR in question was registered at the instance of respondent No. 2 – complainant, who is engaged in the business of sale of second-hand vehicles at Chaudhary Lal Chand Market, Pooth Kalan, Delhi. The petitioners are residents of Village Pooth Kalan, Delhi, and are locally



known to respondent No. 2.

3. As per the FIR, it was alleged that during the night intervening 04/05.06.2019, an altercation arose between the parties at Chaudhary Lal Chand Market, Main Bus Stand, Pooth Kalan, Delhi, following allegations of damage to a parked vehicle belonging to co-accused Yobin @ Yovin @ Bharat Solanki (since deceased). It was further alleged that petitioner No. 2 first intercepted the complainant and his cousin, one Sachin, whereafter petitioner No. 1, alongwith the co-accused, arrived at the spot, and that upon proceeding to the complainant's office to verify CCTV recordings, an altercation took place resulting in allegations of assault. The co-accused then removed the DVR system and fled from from the premises with the petitioners herein. The present petition, however, concerns only the remaining accused, i.e. the petitioners herein, as the proceedings against co-accused Yobin @ Yovin @ Bharat Solanki stand abated due to his death on 04.12.2020.

4. Upon completion of the investigation, a charge-sheet was filed under the aforementioned provisions, and Section 411 of the IPC was subsequently added.

5. By order dated 25.06.2019, the learned Sessions Court granted anticipatory bail to the petitioners, recording a categorical finding that their custodial interrogation was not required, subject to their joining the investigation. Consequently, the petitioners were directed to cooperate with and join the investigation as and when required. The learned Sessions Court also took note of the fact that the co-accused – Yobin @ Yovin @ Bharat Solanki, had already been enlarged on regular bail by order dated 15.06.2019.



6. During the pendency of the present proceedings, the parties amicably resolved their disputes and entered into a Compromise Deed dated 09.06.2025. Pursuant thereto, respondent No. 2 has stated that he has no objection to the quashing of the subject FIR and all proceedings arising therefrom.

7. I have heard learned counsel for the parties. The parties are present in Court and have been identified by the Investigating Officer as well as by their respective counsel.

8. The parties have confirmed before this Court that they have voluntarily settled their disputes and do not wish to pursue the criminal proceedings any further.

9. 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.*¹, 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*

¹ (2012) 10 SCC 303.



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.”²

Further, in *Narinder Singh & Ors. v. State of Punjab & Anr.*³, 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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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.”⁴

10. The present case arises out of a misunderstanding between the parties, who are residents of the same locality and neighbours known to each other. The incident stemmed from an allegation relating to damage to a vehicle, which escalated into an altercation. The dispute, being local and personal in nature, has since been amicably resolved, and the parties have mutually agreed to put an end to all their differences by entering into a voluntary settlement. Having regard to the neighbourly relationship between the parties, the nature of the dispute, and the settlement arrived

⁴ Emphasis supplied.



at between them, I am of the view that the present case is a fit one for exercising this Court's inherent powers, as continuation of the criminal proceedings would only serve to perpetuate discord between neighbours. Applying the principles laid down by the Supreme Court, and noting that respondent No. 2 has unequivocally affirmed the voluntary nature of the settlement before this Court, it is evident that the likelihood of conviction is remote and that continuation of the proceedings would amount to an empty formality, resulting in an unnecessary burden on the criminal justice system.

11. The petition is, therefore, allowed, and FIR No. 571/2019 dated 05.06.2019, registered at Police Station Sultanpuri, Delhi, under Sections 394/452/34 of IPC, alongwith all consequential proceedings arising therefrom, is hereby quashed.

12. The parties shall remain bound by the terms of the settlement.

13. The petition is accordingly disposed of.

PRATEEK JALAN, J

FEBRUARY 6, 2026

'Bhupi'/SD/