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

+ CRL.M.C. 6448/2025

MOHD NAYEEM & ANR.

.....Petitioners

Through: Mr. Ravi Partap Singh Bhati,
Advocate.

versus

THE STATE (GOVT OF NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Hitesh Vali, APP. SI
Shubham.
Respondent No. 2 in person.
Appearance not given for R-2.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **17.04.2026**

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. 700/2016 dated 27.09.2016, registered at Police Station Khajuri Khas, Delhi, for offences punishable under Sections 354/509 of the Indian Penal Code, 1860 ["IPC"], alongwith all proceedings emanating therefrom, on the basis of a settlement arrived at between the parties.

2. Issue notice. Mr. Hitesh Vali, learned Additional Public Prosecutor, accepts notice on behalf of the State, and learned counsel accepts notice on behalf of respondent No. 2. Pursuant to order dated



26.02.2026, respondent No. 2 is present in person.

3. The petitioners are present in Court and are identified by their learned counsel as well as the Investigating Officer. Respondent No. 2 is duly identified by her learned counsel and the Investigating Officer.

4. The petition is taken up for disposal with the consent of learned counsel for parties.

5. The parties are neighbours residing in the same locality. The allegations in the FIR against the petitioners are to the effect that, on 26.09.2016 at about 7:30 PM, the complainant, while returning from the gym, reached near her residence and kicked the gate of a neighbouring house, which opens onto the street, to move it inwards. It is alleged that petitioner No. 1, who resides in the said house and is known to the complainant, came out and engaged in a verbal altercation with her, during which he is stated to have abused her, held her hand, and pushed her while using obscene language. Pursuant thereto, the present FIR came to be registered.

6. A chargesheet was subsequently filed, whereupon charges under Sections 354D and 34 of the IPC were also added.

7. During the pendency of the proceedings, the parties entered into a settlement by way of a Settlement Deed dated 22.08.2025, in terms of which the petitioners agreed to pay a sum of Rs. 55,000/- to respondent No. 2.

8. Respondent No. 2, who is present in Court, confirms that the FIR arose out of a misunderstanding in the course of a neighbourhood dispute. She states that she has received a sum of Rs. 55,000/- in terms of the settlement and has no subsisting grievance against the petitioners. She



further affirms that the settlement has been arrived at voluntarily, without any coercion, pressure, or undue influence, and that she has no objection to the quashing of the FIR and all consequential proceedings arising therefrom.

9. In light of the aforesaid, the parties seek quashing of the impugned FIR.

10. Learned counsel for the parties submit that the parties have entered into a settlement voluntarily, without any coercion, undue influence, or pressure.

11. The Supreme Court has held that, in appropriate cases, High Courts may exercise their powers under Section 528 of the BNSS (corresponding to Section 482 of the CrPC) to quash criminal proceedings, including those relating to non-compoundable offences, on the basis of a settlement between the parties, particularly where no overarching public interest is adversely impacted.

12. 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

¹ (2012) 10 SCC 303.



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.”²

Further, in *Narinder Singh and Ors. v. State of Punjab and 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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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.”⁴

13. The present case arises out of a neighbourhood dispute stemming from a misunderstanding between the parties. The parties continue to reside in the same locality and have amicably resolved their differences, agreeing to bury the hatchet and maintain cordial relations. Respondent No. 2 has stated that the dispute arose on account of a misunderstanding. It is also noted that the matter has remained pending for a considerable period of nearly 10 years. In such circumstances, the continuation of the proceedings would only impede the parties’ ability to live harmoniously as neighbours and would serve no purpose other than to perpetuate unnecessary animosity.



14. Applying the principles laid down by the Supreme Court, it is noted that respondent No. 2 has unequivocally affirmed before this Court that the settlement has been entered into voluntarily, without any coercion, pressure, or undue influence, and that she has no objection to the quashing of the FIR. In view thereof, the likelihood of conviction is remote, and the continuation of the criminal proceedings would not serve any meaningful purpose, being merely an exercise in futility and an avoidable burden on the justice system.

15. The settlement contemplates payment of a sum of Rs. 55,000/- by the petitioners to respondent No. 2, which she confirms has been received in full. She further states that the disputes stand duly resolved and that she does not wish to pursue the proceedings against the petitioners any further.

16. In view of the foregoing discussion, the present petition is allowed, and FIR No. 700/2016 dated 27.09.2016, registered at Police Station Khajuri Khas, Delhi, for offences punishable under Sections 354/509 of the IPC, along with all consequential proceedings arising therefrom, is hereby quashed.

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

18. The petition, alongwith pending applications, is disposed of in terms of the above.

PRATEEK JALAN, J

APRIL 17, 2026

‘Bhupi’/SD/

⁴ Emphasis supplied.