



2026:DHC:1895



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

Reserved on: 26.02.2026

Pronounced on: 03.03.2026

Uploaded on: 03.03.2026

+ BAIL APPLN. 3605/2025

CHHOTE SINGH

.....Petitioner

versus

THE STATE NCT OF DELHI

.....Respondent

+ BAIL APPLN. 3613/2025

BIJENDER SINGH ALIAS BINDRI

.....Petitioner

versus

THE STATE NCT OF DELHI

.....Respondent

+ BAIL APPLN. 3619/2025

ARJUN

.....Petitioner

versus

THE STATE NCT OF DELHI

.....Respondent

+ CRL.M.C. 5282/2025

MULAYAM SINGH & ORS.

.....Petitioners

versus

STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondents

+ CRL.M.C. 5316/2025

RINKU SINGH & ORS.

.....Petitioners

versus

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THE STATE NCT OF DELHI AND ANR

.....Respondents

Appearance:

Dr. Manish Aggarwal, Mr.Amit Ambawat, Ms. Namrata Sharma, Ms. Shilpa Kumari and Ms.Riya Sharma, Advocates In Items BAIL APPLN. 3605/2025, BAIL APPLN. 3613/2025, and BAIL APPLN. 3619/2025.

Mr. Alok Kumar, Advocate for Petitioner in CRL.M.C. 5282/2025 and for R-2 in CRL.M.C. 5316/2025.

Mr. Yudhvir Singh Chauhan, APP for State with SI Chetan, P.S. Paschim Vihar (West).

CORAM:**HON'BLE MR. JUSTICE PRATEEK JALAN****J U D G M E N T**

1. The present petitions have been instituted under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"] (corresponding to Section 482 of the Code of Criminal Procedure, 1973), seeking quashing of two cross-FIRs, alongwith all consequential proceedings arising therefrom, namely:

- (i) FIR No. 300/2025 dated 30.04.2025, registered at Police Station Shahbad Dairy, for offence punishable under Section 79 of the Bharatiya Nyaya Sanhita, 2023 ["BNS"] and Section 67 of the Information Technology Act, 2000 ["IT Act"], which forms the subject matter of CRL.M.C. 5282/2025; and
- (ii) FIR No. 204/2025 dated 12.05.2025, registered at Police Station Paschim Vihar, for offences punishable under Sections

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109, 110 and 3(5) BNS, forming the subject matter of CRL.M.C. 5316/2025.

The petitions seek quashing of the aforesaid FIRs on the ground that the parties have amicably resolved their disputes pursuant to a mutual settlement.

2. The parties to the present petitions belong to different branches of the same extended family and are related through several matrimonial alliances. In CRL.M.C. 5282/2025, the sister of respondent No. 2/complainant is married to petitioner No. 7, who is the son of petitioner No. 2. The brother of respondent No.2 is married to the daughter of petitioner No. 2. In CRL.M.C. 5316/2025, the sister of respondent No.2/complainant therein is married to the son of petitioner No. 2 therein, while the daughter of petitioner No. 2 is married to the complainant's brother, thereby reflecting relationships between the families. It maybe noted that, in CRL.M.C. 5316/2025, the complainant therein is himself the son of petitioner No. 2 in CRL.M.C. 5282/2025.

3. The complainant in CRL.M.C. 5316/2025 and the petitioners in CRL.M.C. 5282/2025 belong to one branch of the extended family, whereas the complainant in CRL.M.C. 5282/2025 and the petitioners in CRL.M.C. 5316/2025 belong to another branch of the family. The present petitions arise out of cross-proceedings between them, set against the backdrop of interconnected matrimonial relationships.

4. Insofar as FIR No. 300/2025 dated 30.04.2025 (P.S. Shahbad Dairy) is concerned, the complainant therein has alleged that certain objectionable/intimate photographs purportedly depicting her were circulated on 25.04.2025 in two WhatsApp groups. It is further alleged



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that, during a panchayat meeting dated 25.04.2025 held at DDA Park, Camp No. 4, Jwala Puri, Paschim Vihar, one of the accused [petitioner No.1 in CRL.M.C. 5282/2025] displayed the said images on his mobile phone to persons assembled there. The complainant has expressed suspicion regarding the involvement of the petitioners and their family members in the dissemination of the said photographs.

5. Conversely, arising out of the same panchayat meeting dated 25.04.2025, FIR No. 204/2025 dated 12.05.2025 was registered at P.S. Paschim Vihar West at the instance of respondent No. 2 in CRL.M.C. 5316/2025. It is alleged that, during the proceedings of the said meeting, which had been convened to address an *inter se* family dispute, the situation escalated into a physical altercation and members of the other branch of the family assaulted him. The complainant alleged that he was struck on the head with stones, resulting in bleeding and a laceration over the left temporal region. He was thereafter taken to Jain Hospital, Jagriti Enclave, Vikas Marg, Shahdara, Delhi, where MLC No. 249/25 was prepared, recording a head injury, for which stitches had to be administered. A copy of the said MLC was handed up in Court by Mr. Chauhan, and is taken on record. According to the prosecution, the facts justify addition of Section 109 of BNS [corresponding to Section 307 of IPC] as well.

6. During the pendency of the present proceedings, the disputes forming the subject matter of both, FIR No. 300/2025 and FIR No. 204/2025, have been amicably resolved in terms of two separate Memoranda of Understanding, each dated 28.07.2025, executed by the concerned parties in respect of the aforesaid FIRs.



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7. All parties were present before this Court on 26.02.2026, and have been duly identified by the Investigating Officer as well as by their learned counsel. The parties have categorically affirmed that they have settled their disputes amicably and do not wish to pursue the criminal proceedings against one another.

8. The Memoranda of Understanding record that the parties have agreed to condone the allegations levelled against each other and to close all pending disputes. It has further been affirmed that the settlement has been entered into voluntarily, and without any coercion, undue influence, or duress. Affidavits of no objection filed by the respective complainants are also on record, stating that the disputes stand settled pursuant to the Memoranda of Understanding dated 28.07.2025 and that they have no objection to the quashing of the FIRs and all consequential proceedings arising therefrom.

9. The present petitions have accordingly been filed seeking quashing of the aforesaid FIRs and all consequential proceedings arising therefrom in view of the settlement arrived at between the parties.

10. It is well settled that even in cases involving non-compoundable offences, the High Court, in exercise of its inherent jurisdiction, may quash criminal proceedings on the basis of a genuine and voluntary settlement between the parties, where the circumstances so warrant and where such quashing would serve the ends of justice. 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***

¹ (2012) 10 SCC 303 [hereinafter, “*Gian Singh*”].



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.”²

11. Subsequently, three decisions of the Supreme Court have specifically addressed proceedings arising under Section 307 of the IPC:

(a) In *Narinder Singh and Ors. v. State of Punjab and Anr.*³, after considering the decision in *Gian Singh* and various other judgments concerning Section 307 IPC, the Supreme Court

² Emphasis supplied.

³ (2014) 6 SCC 466.



crystallised the governing principles in the following terms:

“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.

29.6. Offences under Section 307 IPC would fall in the category of heinous and serious offences and therefore are to be generally treated as crime against the society and not against the individual alone. However, the High Court would not rest its decision merely because there is a mention of Section 307 IPC in the FIR or the charge is framed under this provision. It would be open to the High Court to examine as to whether incorporation of Section 307 IPC is there for the sake of it or the prosecution has collected sufficient evidence, which if proved, would lead to proving the charge under Section 307 IPC. For this purpose, it would be open to the High Court to go by the nature of injury sustained, whether such injury is inflicted on the vital/delicate parts of the body, nature of weapons used, etc. Medical report in respect of injuries suffered by the victim can generally be the guiding factor. On the basis of this prima facie analysis, the High Court can examine as to whether there is a strong possibility of conviction or the chances of conviction are remote and bleak. In the former case it can refuse to accept the settlement and quash the criminal proceedings whereas in the latter case it would be permissible for the High Court to accept the plea compounding the offence based on complete settlement between the parties. At this stage, the Court can also be swayed by the fact that the settlement between the parties is going to result in harmony between them which may improve their future relationship.

29.7. While deciding whether to exercise its power under Section 482 of the Code or not, timings of settlement play a crucial role. Those cases where the settlement is arrived at immediately after the alleged commission of offence and the matter is still under investigation, the High Court may be liberal in accepting the settlement to quash the criminal proceedings/investigation. It is because of the reason that at this stage the investigation is still on and even the charge-sheet has not been filed. Likewise, those cases where the charge is framed but the evidence is yet to start or the evidence is still at infancy stage, the High Court can show benevolence in exercising its powers favourably, but after prima facie assessment of the circumstances/material mentioned above. On the other hand, where the prosecution evidence is almost complete or after the conclusion of the evidence the matter is at the stage of argument, normally the High Court should refrain from exercising its power under Section 482 of the Code, as in such cases the trial court would be in a position to decide the case finally on merits and to come to a conclusion as to whether the offence under Section 307 IPC is committed or not. Similarly, in those cases where



the conviction is already recorded by the trial court and the matter is at the appellate stage before the High Court, mere compromise between the parties would not be a ground to accept the same resulting in acquittal of the offender who has already been convicted by the trial court. Here charge is proved under Section 307 IPC and conviction is already recorded of a heinous crime and, therefore, there is no question of sparing a convict found guilty of such a crime.”

(b) In *State of Madhya Pradesh v. Laxmi Narayan & Ors.*⁴, the Supreme Court reaffirmed and reiterated the above principles governing the exercise of inherent powers in cases involving Section 307 IPC.

(c) More recently, in *Naushey Ali & Ors. v. State of Uttar Pradesh & Anr.*⁵, the Supreme Court applied these settled principles to quash a prosecution under Section 307 IPC in light of the facts and the compromise between the parties.

12. Applying these principles to the facts of the present case, I am of the view that the relief sought can be granted to the petitioners. The disputes are between members of the same extended family, and have now been amicably resolved by way of a compromise duly recorded in the Memoranda of Understanding dated 28.07.2025. While FIR No. 300/2025 pertains to allegations of circulation and public display of obscene material, and FIR No. 204/2025 pertains to allegations of physical assault, both proceedings are intrinsically connected, having arisen from the same underlying family discord and the events surrounding the panchayat meeting held on 25.04.2025, with each side attributing criminal liability to the other.

13. It may be noted that the Memoranda of Understanding were

⁴ (2019) 5 SCC 688, [hereinafter, “*Laxmi Narayan*”].



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entered into on 28.07.2025, i.e. within a few months of the incidents in question. The genesis of the second FIR [FIR No. 204/2025] lies in a panchayat meeting convened to address family differences arising out of the first FIR [FIR No. 300/2025]. During the panchayat meeting tempers flared, resulting in cross-allegations. It is pertinent to note that the incident did not involve the use of any sharp-edged weapon or firearm, and the allegations essentially emanate from a sudden altercation between closely related parties. Although the complainant in FIR No. 204/2025 suffered grievous injuries to the head, he stated in Court that the injuries have not had any lasting consequences, and that he does not wish to pursue the allegations any further. The offences alleged are rooted in personal and familial discord. The matrimonial alliances between the families remain in place, and continuation of cross-FIRs would tend to disturb peace and harmony.

14. In view of the settlement voluntarily entered into by the parties out of their own free will, without any coercion or duress, and in light of the principles laid down by the Supreme Court, this, therefore, appears to be a fit case for exercise of the inherent powers of this Court to quash the cross-FIRs. The possibility of conviction in the peculiar facts and circumstances of the case appears remote and bleak, and continuation of the present criminal proceedings would serve no useful purpose.

15. In view of the foregoing and for the reasons recorded hereinabove, the present petitions are allowed. Accordingly, FIR No. 300/2025 dated 30.04.2025, registered at Police Station Shahbad Dairy for the offence punishable under Section 79 of BNS and Section 67 of IT Act, which is

⁵ (2025) 4 SCC 78.



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the subject matter of CRL.M.C. 5282/2025, and FIR No. 204/2025 dated 12.05.2025, registered at Police Station Paschim Vihar for the offences punishable under Sections 109, 110 and 3(5) of the BNS, which is the subject matter of CRL.M.C. 5316/2025, alongwith all consequential proceedings emanating therefrom, are hereby quashed.

16. The parties shall remain bound by the terms and conditions of the settlement.

17. The petitions stand disposed of.

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18. In view of the order passed above in CRL.M.C. 5282/2025 and CRL.M.C. 5316/2025, the captioned bail applications alongwith pending applications, if any, are rendered infructuous, and therefore, stand disposed of.

19. A copy of the order be given *dasti* under the signature of the Court Master.

PRATEEK JALAN, J

MARCH 03, 2026

‘SV’/shreeya/