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

+ CRL.M.C. 6586/2025

SH. SOHAIB @ SHOYAB & ANR.Petitioners

Through: Mr. Chaman Lal and Mr. Dharam
Rana, Advocates.

versus

THE STATE(NCT OF DELHI) & ORS.Respondents

Through: Ms. Manjeet Arya, APP with ASI
Ramdass.
Mr. Saurabh Jhamb and Mr. C. M.
Arif, Advocates for R-2 to 4.

+ W.P.(CRL) 3104/2025

SALMAN & ORS.Petitioners

Through: Mr. Saurabh Jhamb and Mr. C. M.
Arif, Advocates.

versus

THE STATE (NCT OF DELHI) & ORS.Respondents

Through: Ms. Rupali Bandhopadhyaya, ASC
for State with ASI Ramdass.
Mr. Chaman Lal and Mr. Dharam
Rana, Advocates for R-2 to R-5.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **21.01.2026**

CRL.M.A. 27742/2025 (for exemption) in CRL.M.C. 6586/2025

CRL.M.A. 28623/2025 (for exemption) in W.P.(CRL) 3104/2025

Exemptions allowed, subject to all just exceptions.

The applications stand disposed of.



CRL.M.C. 6586/2025 & W.P.(CRL) 3104/2025

1. Issue notice. Ms. Manjeet Arya, learned Additional Public Prosecutor, accepts notice on behalf of State in CRL.M.C. 6586/2025, and Ms. Rupali Bandhopadhyaya, learned Additional Standing Counsel, accepts notice on behalf of the State in W.P.(CRL) 3104/2025. Notice is accepted by Mr. Saurabh Jhamb, learned counsel, on behalf of the complainant in CRL.M.C. 6586/2025. Notice is accepted by Mr. Chaman Lal, learned counsel, on behalf of the complainant in W.P.(CRL) 3104/2025.

2. The present petitions seek quashing of two FIRs, being FIR No. 73/2021 [subject matter of CRL.M.C. 6586/2025] and FIR No. 74/2021 [subject matter of W.P.(CRL) 3104/2025]. Both FIRs are dated 28.02.2021, and are registered at Police Station Ghazipur, New Delhi, under Sections 307/34 of the Indian Penal Code, 1860 [“IPC”]. The petitions are founded on a settlement arrived at between the parties. The respective complainants in the two FIRs have been arrayed as respondent No. 2 in both petitions.

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

4. These are cross-FIRs, which have been filed by neighbours against each other. Both arise out of an incident which took place on 27.02.2021.

5. In FIR No. 73/2021, the allegation against the accused petitioners in CRL.M.C. 6586/2025, viz. Sohaib@ Shoyab and Jeeshan@ Jisan, is that they attacked the complainant’s family with axes and knives, and due to this the children of respondent No.1 in CRL.M.C. 6586/2025 got injured. On the other hand, in FIR No. 74/2021, the allegation against the



accused petitioners in W.P.(CRL) 3104/2025, viz. Salman, Gulfam, Arshad and Julfikar Ali Bhutto, is that the when the complainant was walking to his place of work, the accused attacked him with choppers, hammers and axes. The complainant got hit in the head and his right hand. The complainant's brother [respondent No. 3 in W.P.(CRL) 3104/2025] also got attacked in the altercation.

6. Learned counsel for the parties submit that the dispute between the parties arose out of misunderstanding, and the parties have settled the disputes amicably *vide* Settlement Agreement dated 28.08.2025. The settlement records that there was a scuffle between the parties on the date of the incident, in the course of which both parties sustained injuries.

7. Chargesheets have been filed in both cases. The Medico-Legal Certificates in both cases show simple injuries.

8. I have heard learned counsel for the parties. 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.

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.* [(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.]

10. The present case is one of dispute between neighbours, which has been settled by way of a compromise. The allegations do not pertain to heinous offences, and the Medico-Legal Certificates in both cases revealed simple injuries. 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.

11. However, since the State machinery was set in motion based on the subject FIRs, it is appropriate to impose costs on the parties.

12. The petitions are therefore allowed, and all proceedings emanating from FIR No. 73/2021 and FIR No. 74/2021, under Sections 307/34 of the IPC, both dated 28.02.2021, registered at Police Station Ghazipur, are hereby quashed, subject to payment of costs of Rs.15,000/- by the petitioners in each case, to be deposited with the Delhi High Court Bar Association Costs Account [A/C No. 15530110179338; IFSC No. UCBA0001553; UCO Bank, Delhi High Court Branch].

13. Affidavit of compliance be filed within two weeks from today.

14. The petitions stand disposed of.

PRATEEK JALAN, J

JANUARY 21, 2026

SS/AD/