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

+ CRL.M.C. 6854/2025

PRATHAM CHOUHAN & ORS. ....Petitioner

Through: Ms. Sakshi Sachdeva, Advocate.

versus

STATE (GNCT OF DELHI) & ORS. ....Respondent

Through: Mr. Hitesh Vali, APP  
SI Srikant Yadav, PS Vasant Kunj,  
South.  
Ms. Ritika, Advocate.

**CORAM:**

**HON'BLE MR. JUSTICE PRATEEK JALAN**

**ORDER**

% **11.05.2026**

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 the quashing of FIR No. 280/2025, dated 01.07.2025, registered at Police Station Vasant Kunj South, District South West, Delhi, under Sections 333/351(2)/115(2)/126(2)/79/76/3(5) of the Bharatiya Nyaya Sanhita, 2023 ["BNS"], together with all proceedings arising therefrom, on the ground of settlement.

2. The petitioners are present in Court and are identified by their learned counsel as well as by the Investigating Officer ["IO"]. Ms. Sakshi Sachdeva, learned counsel for the petitioners, seeks to implead accused – Dhruv Dahiya and Kunal Dahiya, and hands over in Court an amended



memo of parties, which is taken on record. The newly impleaded parties are present through video conference, and are identified by counsel and the IO. Respondent Nos. 2 to 5 are present through video-conferencing and are identified by their learned counsel and the IO.

3. As per the allegations in the impugned FIR, on the night of 30.06.2025 at about 10:30 PM, the complainant/respondent No. 2 was returning home with his wife when, near Rangpuri Village, a vehicle allegedly driven by petitioner No. 1 intercepted their vehicle with high-beam lights and loud music. It is alleged that petitioner No. 1, along with 3-4 associates in the vehicle, passed comments on the complainant's wife, misbehaved with her, and forcibly removed her dupatta/scarf when the complainant objected.

4. The complainant thereafter parked his car near his cousin-respondent No. 4's house and called him for assistance. According to the FIR, the accused persons followed them there and assaulted both the complainant and respondent No. 4. It is further alleged that additional associates of the accused - namely Ansh Chauhan, Sagar Dahiya, Kaushal Bhardwaj and others (i.e., the present petitioners) - arrived at the spot, some allegedly carrying iron rods and knives. The accused persons allegedly entered the house, assaulted the complainant and respondent No. 4, and also assaulted respondent No. 4's sister-in-law (respondent No. 5) when she intervened, including allegations of pulling her dupatta and pushing her. Respondent No. 4 sustained serious injuries, including a broken tooth. PCR was called, and the injured were taken to the AIIMS Trauma Centre.

5. I am informed by learned counsel for the parties that no



chargesheet has been filed till date. Mr. Hitesh Vali, learned Additional Public Prosecutor, upon instructions from the Investigating Officer, submits that two accused persons, namely Dhruv Dahiya and Kunal Dahiya, have joined the investigation and have been bound down in the present case.

6. During the pendency of the investigation, the parties entered into a Memorandum of Understanding-cum-Settlement Deed dated 12.09.2025 and have amicably resolved all their disputes, which are stated to have arisen out of a misunderstanding in the context of a neighbourhood altercation. It is submitted that the settlement has been arrived at voluntarily and without any monetary consideration.

7. Learned counsel for the parties confirm that the settlement has been entered into voluntarily, without any coercion, undue influence, or pressure of any kind.

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

9. Respondent Nos. 3 and 5, who are present through video conference, affirm that the allegations under Sections 76 and 79 of the Bharatiya Nyaya Sanhita, 2023 [corresponding to Sections 354B and 509 of the Indian Penal Code, 1860] arose on account of a misunderstanding between the parties stemming from the neighbourhood dispute. They further state that they do not wish to pursue the impugned FIR or any consequential proceedings emanating therefrom.

10. Although the injuries sustained by the complainant and his family members have been opined to be grievous in nature, the same are not stated to be of a long-lasting character. The settlement between the parties



was arrived at within a few months of the alleged incident.

11. The Supreme Court has held that, in appropriate circumstances, High Courts, while exercising their powers under Section 528 of the BNSS (corresponding to Section 482 of the CrPC), may quash criminal proceedings, even in cases involving non-compoundable offences, where a compromise has been reached between the accused and the complainant, particularly when no overriding public interest is adversely affected.

12. The Supreme Court, in *Gian Singh v. State of Punjab & Anr.*<sup>1</sup> has 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*

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<sup>1</sup>2012 10 SCC 303.



**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.”<sup>2</sup>

Further, in *Narinder Singh & Ors. v. State of Punjab & Anr.*<sup>3</sup>, 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

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<sup>2</sup>Emphasis supplied.

<sup>3</sup> (2014) 6 SCC 466.



*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.”<sup>4</sup>*

13. The offences alleged in the subject FIR arise out of a personal and neighbourhood dispute between the parties and are essentially private in character. Though the allegations include offences of a serious nature, the material placed on record indicates that the incident emanated from a misunderstanding between persons known to each other and does not involve any element of public interest, mental depravity, or criminality having a wider societal impact. Respondent Nos. 3 and 5, who are the affected parties in relation to the allegations under Sections 76 and 79 of the BNS, have appeared before this Court and categorically affirmed that the settlement has been entered into voluntarily, without any coercion or undue influence, and that they do not wish to pursue the present FIR or the proceedings arising therefrom. In these circumstances, and having regard to the principles laid down by the Supreme Court governing the exercise of jurisdiction under Section 482 Cr.P.C./Section 528 BNSS, this



Court is of the view that the possibility of conviction is remote and continuation of the criminal proceedings would serve no useful purpose and would merely result in unnecessary prolongation of litigation and wastage of judicial time.

14. Having regard to the facts and circumstances giving rise to the impugned FIR, this Court finds merit in the suggestion advanced by Mr. Vali that the present case warrants a direction for performance of community service. Accordingly, the petitioners and the newly impleaded parties are directed to report before the Medical Superintendent, Institute of Liver and Biliary Sciences (ILBS), New Delhi, on 18.05.2026 at 11:00 AM for the purposes of community service. The Medical Superintendent is requested to assign suitable duties to the petitioners for a total of six sessions of three hours each, to be completed within a period of three months. The schedule for such community service may be fixed in consultation with the petitioners, keeping in view the administrative convenience of the hospital as well as the petitioners' work/professional commitments. Upon completion of the aforesaid community service, the Medical Superintendent is requested to issue an appropriate certificate of compliance. The petitioners shall place the said certificate on record within a period of two weeks thereafter.

15. In view of the foregoing discussion, the petition is allowed, and FIR No. 280/2025, dated 01.07.2025, registered at Police Station Vasant Kunj South, South West District, Delhi, under Sections 333/351(2)/115(2)/126(2)/79/76/3(5) of the BNS, together with all proceedings arising therefrom, is hereby quashed.

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<sup>4</sup>Emphasis supplied.



16. The parties shall remain bound by the terms of the settlement.
17. The petition, accordingly, stands disposed of.

**PRATEEK JALAN, J**

**MAY 11, 2026/‘pv/JM’/**