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

+ CRL.M.C. 6939/2025, CRL.M.A. 6547/2026

HIMANSHU & ORS.

.....Petitioner

Through: Mr. Lalit Kumar and Mr. Rajesh
Gautam, Advocates

versus

STATE OF NCT OF DELHI AND ANR.

.....Respondent

Through: Mr. Tarang Srivastava, APP for
State with SI Udit Jain PS New
Usmanpur
Mr. Ashwani Kumar, Advocate for
Complainant.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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29.04.2026

1. The petitioners have approached this Court 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. 007/2017 dated 04.01.2017, registered at Police Station New Usmanpur, District North East, Delhi, for offences punishable under Sections 308/323/325/341/506/34 of the Indian Penal Code, 1860 ["IPC"], alongwith all proceedings emanating therefrom, on the ground that the disputes between the parties have been amicably settled.

2. The subject FIR, registered at the instance of respondent no. 2, arises out of a quarrel amongst neighbours. Pursuant to the order dated 29.05.2025, an application for impleadment of the remaining victims has been moved. The said application is allowed. The amended memo of parties is taken on record, and respondent Nos. 3 to 7 are accordingly



impleaded.

3. CRL.M.A. 6547/2026 is accordingly disposed of.
4. Issue notice. Mr. Tarang Srivastava, learned Additional Public Prosecutor, accepts notice on behalf of the State. Mr. Ashwani Kumar, learned counsel, accepts notice on behalf of respondents Nos. 2-7.
5. The prosecution case is that on 03.01.2017 at about 7:00 PM, the complainant, while proceeding to the market with his son/respondent No. 7, was intercepted by the petitioners who began abusing and assaulting his son with rods and sticks. When the complainant intervened, he was also beaten, and thereafter his nephews (remaining private respondents), who reached the spot upon receiving information, were similarly assaulted by the petitioners. The incident created a commotion in the locality, with the petitioners allegedly using weapons and causing injuries to multiple persons. It is further alleged that the accused threatened them with dire consequences if the matter was reported, and thereafter fled the spot, following which the FIR was registered on 04.01.2017.
6. The Medico-Legal Cases of the injured, conducted at Jag Pravesh Chandra Hospital, opined the nature of the injuries as simple.
7. Upon completion of the investigation, a chargesheet was filed against the petitioners in May 2022.
8. During the pendency of the case, the parties arrived at an amicable settlement recorded in a Settlement Deed dated 11.06.2025. An amended Settlement Deed has also been placed on record, wherein respondent Nos. 3 to 7 have been made a party to the settlement. The settlement does not involve any monetary consideration, and the parties have agreed to withdraw/quash all pending litigation between them.
9. In light of the aforesaid, the petitioners have approached this Court



seeking quashing of the impugned FIR, alongwith consequential proceedings.

10. The petitioners are present in Court and are duly identified by their counsel and the Investigating Officer [“IO”]. Respondent Nos. 2, 3, 4, 5, and 7 are also present in Court, while respondent No. 6, Aniket, has joined the proceedings through video conference; all respondents have been duly identified by their respective counsel and the IO.

11. Respondent Nos. 2-7 confirm before the Court that the allegations arose out a misunderstanding stemming from a neighbourhood dispute, and they do not wish to continue pursuing the present FIR.

12. Affidavits on behalf of respondent Nos. 2-7 have been placed on record, wherein it is affirmed that they have no objection to the quashing of the impugned FIR and all consequential proceedings emanating therefrom.

13. Learned counsel for the parties submit before the Court that the settlement was entered into voluntarily, without force, fraud or coercion, and that continuation of the criminal proceedings would serve no useful purpose.

14. The Supreme Court has clearly held that, in certain circumstances, the High Courts, in exercise of their powers under Section 482 of the CrPC [corresponding to Section 528 of the BNSS], can quash criminal proceedings, even with respect to non-compoundable offences, on the ground that there is a compromise between the accused and the complainant, especially when no overarching public interest is adversely affected.

15. The Supreme Court, in *Gian Singh v. State of Punjab & Anr.*¹ has

¹ (2012) 10 SCC 303.



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.”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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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.”⁴

16. The present case arises out of a neighbourhood dispute stemming

⁴ Emphasis supplied.



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 Nos. 2-7 have stated that the dispute arose on account of a misunderstanding. The Medico-Legal Cases also opined the nature of injuries sustained as simple. It is also noted that the matter has remained pending for a considerable period of nearly 8 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.

17. In view of the foregoing, the petition is allowed. Accordingly, FIR No. 007/2017 dated 04.01.2017, registered at Police Station New Usmanpur, Delhi, for offences punishable under Sections 308/323/325/341/506/34 of the IPC, alongwith all proceedings emanating therefrom, is hereby quashed.

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

19. The petition is accordingly disposed of.

PRATEEK JALAN, J

APRIL 29, 2026

'sv/JM'/