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

+ **CRL.M.C. 7184/2025**

VAIBHAV KUMAR GUPTA

.....Petitioner

Through: Mr. Anuj Aggarwal, Advocate
alongwith Petitioner in Person.

versus

THE STATE GOVT OF NCT OF DELHI & ORS.Respondents

Through: Ms. Manjeet Arya, APP for State.
SI Ajay, PS North Rohini.
R-2 & 3 in Person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **12.02.2026**

1. The petitioner has filed this 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. 387/2019 dated 10.12.2019, registered at Police Station North Rohini, District Rohini, under Sections 323/341/354/354(D)/356/379/509/34 of the Indian Penal Code, 1860, ["IPC"], alongwith all consequential proceedings emanating therefrom, on the ground of settlement.

2. The present FIR has been registered at the instance of respondent No. 2 against the petitioner.

3. The allegations in the FIR relate to an incident which took place on 09.12.2019. It is alleged that the petitioner and one other individual were riding a scooty when respondent Nos. 2 and 3, who are husband and wife, were driving alongside them in a car. The allegation against the petitioner



is that he passed some inappropriate comment/gesture towards respondent No. 3. Upon respondent No. 3's objection to the same, he allegedly abused them, blocked their car with his scooty, physically assaulted respondent No. 2, and snatched the chain of respondent No. 3. He then handed over the chain to the pillion rider, who fled from the spot.

4. Upon completion of the investigation, a chargesheet was filed on 10.02.2021. The case [Cr. Case 1976/2021] is pending before the Court of Judicial Magistrate First Class (Mahila Court), District North West, Rohini Courts, Delhi, and is next listed on 24.03.2026 for prosecution evidence.

5. The parties have since entered into a Memorandum of Understanding/Settlement Agreement dated 01.08.2025 under which Rs. 2,00,000/- is to be paid by petitioner No. 1 to respondent No. 3.

6. In light of the aforesaid, the parties seek quashing of the impugned FIR, alongwith all consequential proceedings emanating therefrom.

7. The petitioner is present in Court and identified by his counsel and by the Investigating Officer ["IO"]. Respondent No. 2, who himself is an advocate, is physically present in Court, and respondent No. 3 is present on video conference. Both are identified by the IO.

8. Respondent Nos. 2 and 3 state that the settlement has been entered into voluntarily and without any pressure or coercion. I am informed that the Medico-Legal Case has been conducted on both the victims and injuries were found to be simple.

9. Having regard to the facts and circumstances narrated above, it appears that the allegations under Sections 354 and 354(D) arose out of the incident of chain snatching and the passing of inappropriate remarks.



Respondent No. 3 states that she does not wish to pursue those allegations any further.

10. The Supreme Court has clearly held that, in certain circumstances, the High Courts, in exercise of their powers under Section 528 of BNSS (corresponding to Section 482 of CrPC), 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.

11. The Supreme Court, in *Gian Singh v. State of Punjab & Anr.*¹, 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 High Court may within the framework of its inherent power, quash the

¹ (2012) 10 SCC 303.



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 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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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

12. In view of the nature of the allegations arising out of an incident pertaining to the alleged passing of inappropriate remarks, simple hurt, and snatching of a chain, and considering that the parties have amicably resolved their disputes by way of a settlement, the matter does not appear to involve any element of heinous criminality or overriding public interest. Respondent Nos. 2 and 3 have categorically affirmed before this Court that the settlement has been entered into voluntarily and without any pressure or coercion, and respondent No. 3 has expressed her unwillingness to pursue the allegations under Sections 354 and 354(D) IPC any further. In these circumstances, the possibility of conviction appears remote, and continuation of the criminal proceedings would serve no fruitful purpose, but would instead amount to an unnecessary burden on the judicial system and wastage of valuable judicial time.

13. The settlement contemplates payment of a sum of Rs. 2,00,000/- to

⁴ Emphasis supplied.



respondent No. 3, who states that the entire settlement amount has already been received by her. There is therefore no impediment to the grant of the relief sought.

14. In view of the circumstances giving rise to the impugned FIR, I accept the suggestion of Ms. Manjeet Arya, learned Additional Public Prosecutor for the State, that this is a fit case for imposing costs and directing the petitioner to undertake community service. The petitioner is thus directed to report to the Medical Superintendent, Dr. Baba Saheb Ambedkar Hospital, Rohini, on 21.02.2026 at 11:00 A.M. The Medical Superintendent is requested to assign appropriate duties to the petitioner for four hours per day, on every Saturday and Sunday, for a period of six weeks.

15. The Medical Superintendent is directed to issue a certificate of compliance upon completion of the aforesaid period, which the petitioner shall place on record within two weeks thereafter.

16. In view thereof, the petition is allowed, and FIR No. 387/2019 dated 10.12.2019, registered at Police Station North Rohini, District Rohini, under Section 323/341/354/354(D)/356/379/509/34 of the IPC, alongwith all consequential proceedings arising therefrom, is hereby quashed.

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

18. The petition accordingly stands disposed of.

PRATEEK JALAN, J

FEBRUARY 12, 2026

'pv/JM'/'