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

+ CRL.M.C. 6948/2025 & CRL.M.A. 29165/2025

RAJ SHARMA AND ORSPetitioners
Through: Mr. Parth Mudgal, Advocate.

versus

THE STATE OF NCT OF DELHI AND ANRRespondents
Through: Mr. Hitesh Vali, APP for State
with SI Madhu Bala, PS: Lajpat
Nagar.
Mr. Amit Grover and Mr. Naresh
Kumar, Advocates, for
complainant.

+ CRL.M.C. 7300/2025 & CRL.M.A. 30640/2025

TULSI DASS CHAWLAPetitioner
Through: Mr. Amit Grover and Mr. Naresh
Kumar, Advocates.

versus

THE STATE OF NCT OF DELHI AND ANRRespondent
Through: Ms. Manjeet Arya, APP for State
with SI Madhu Bala, PS: Lajpat
Nagar.
Mr. Parth Mudgal, Advocate for
complainant.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **21.01.2026**
CRL.M.A. 29164/2025 (for exemption)



Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 6948/2025 & CRL.M.A. 29165/2025 (condonation of delay)

CRL.M.C. 7300/2025 & CRL.M.A. 30640/2025 (condonation of delay)

1. Issue notice. Ms. Manjeet Arya, and Mr. Hitesh Vali learned Additional Public Prosecutors, accept notice on behalf of the State. Mr. Amit Grover, learned counsel, accepts notice on behalf of respondent No. 2/complainant in CRL.M.C. 6948/2025. Mr. Parth Mudgal, learned counsel, accepts notice on behalf of the respondent No.2/complainant in CRL.M.C. 7300/2025.
2. The present petitions seek quashing of two FIRs, namely FIR No. 761/2016 dated 28.11.2016, registered at Police Station Lajpat Nagar under Sections 354/506 of the Indian Penal Code, 1860, which is the subject matter of CRL.M.C. 6948/2025, and FIR No. 759/2016 dated 26.11.2016, registered at Police Station Lajpat Nagar, New Delhi, under Sections 354/509 of the IPC, which is the subject matter of CRL.M.C. 7300/2025. The petitions are founded on a settlement arrived at between the parties, and the respective complainants in the two FIRs have been arrayed as respondent No. 2 in both the petitions.
3. The parties stand in a landlord-tenant relationship, and civil proceedings were pending between them. In the course of the said disputes, cross-FIRs came to be registered, wherein allegations were levelled against members of each other's families.
4. Both FIRs arise out of the same incident dated 18.11.2016. In FIR No. 761/2016, the allegations against the accused petitioners in CRL.M.C. 6948/2025 are that petitioner Nos. 1 and 2 were illegal



occupants of the complainant's property and that, on the date of the incident, the accused persons assaulted the complainant and her husband. In FIR No. 759/2016, the allegation against the accused petitioner in CRL.M.C. 7300/2025 is that, on the same date, the complainant was walking when the accused made obscene gestures towards her, attempted to force her to enter his shop, and assaulted her brother, whereafter the complainant called the police.

5. Charge-sheets have since been filed in both FIRs. In respect of FIR No. 759/2016, a charge-sheet under Sections 354/509 of the IPC was filed on 23.03.2017, followed by the filing of a charge-sheet under Sections 354/506/34 of the IPC on 19.05.2017 in respect of FIR No. 761/2016.

6. All disputes between the parties, including the pending civil proceedings, have since been amicably settled in terms of a Memorandum of Understanding dated 21.08.2024. In terms thereof, a sum of Rs. 3,00,000/- was payable by the petitioner in CRL.M.C. 7300/2025 to petitioner No. 1 in CRL.M.C. 6948/2025, which amount has admittedly been paid. All litigations arising out of the two FIRs have consequently been brought to a close.

7. The present petitions have accordingly been filed seeking quashing of the aforesaid FIRs and all proceedings emanating therefrom.

8. I have heard learned counsel for the parties. All parties are present before the Court and have been duly identified by the Investigating Officer as well as by their respective learned counsel. The parties have confirmed before the Court that the settlement has been arrived at voluntarily and that they do not wish to pursue the criminal proceedings



against each other.

9. It is a settled position of law that, notwithstanding the non-compoundable nature of the offences, this Court may, in appropriate cases, exercise its inherent jurisdiction to quash criminal proceedings where the parties have amicably settled their disputes. 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 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-

¹ (2012) 10 SCC 303.



fast category can be prescribed.”²

Further, in *Narinder Singh and Ors. v. State of Punjab and 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 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.

² Emphasis supplied.

³ (2014) 6 SCC 466.



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

10. The present case emanates from a neighbourhood dispute arising out of a landlord-tenant relationship, which subsequently culminated in the registration of the present criminal proceedings. The allegations contained in the FIRs do not pertain to heinous or serious offences having a pervasive societal impact. The parties have amicably resolved their disputes and have affirmed before this Court that the settlement has been arrived at voluntarily, pursuant to which the complainants have categorically expressed that they do not wish to pursue the criminal proceedings any further. In this backdrop, the possibility of conviction appears remote, and continuation of the criminal proceedings would, therefore, serve no useful purpose and would result only in an unnecessary expenditure of judicial time and resources. I am, therefore, of the view that the present case warrants exercise of the inherent jurisdiction of this Court to quash the cross-FIRs, as such an order would secure the ends of justice and enable the parties to put an end to their disputes rather than perpetuating animosity.

11. Accordingly, the petitions are allowed and FIR No. 761/2016 dated 28.11.2016 and FIR No. 759/2016 dated 26.11.2016, both registered at Police Station Lajpat Nagar, New Delhi, and all proceedings emanating therefrom, under Sections 354/506 of the IPC in CRL.M.C. 6948/2025 and Sections 354/509 of the IPC in CRL.M.C. 7300/2025, are hereby

⁴ Emphasis supplied.



quashed.

12. Having regard to the facts and circumstances of the case, and bearing in mind that the State machinery remained engaged for nearly a decade, the petitioners in each case are directed to deposit costs of Rs. 25,000/-, with the Delhi High Court Bar Association Costs Account [A/C No. 15530110179338; IFSC: UCBA0001553; UCO Bank, Delhi High Court Branch]. An affidavit of compliance shall be filed within two weeks from today.

13. The petitions, alongwith pending applications, accordingly stand disposed of.

PRATEEK JALAN, J

JANUARY 21, 2026
SS/SD/