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

\# **CNR No. DLHC010794102025**

\+ CRL.M.C. 7376/2025

ANIL KUMAR & ORS. .....Petitioners

Through: Mr. Neeraj Kumar, Mr. Pankaj Kumar, Ms. Meenakshi Jha, Mr. Pramod Singh, Mr. Manoj Kumar and Mr. Budh Priya Gautam, Advocates along with petitioners

versus

THE STATE OF NCT OF DELHI AND ANR .....Respondents

Through: Mr. Hitesh Vali, APP for State with SI Yogesh Sharma, PS: Ashok Vihar

Mr. Dharmendra, Husband of R-2

CORAM:
HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

O R D E R

% 06.10.2026

1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 ('Cr. P.C.')[1] seeking quashing of the FIR No. 162/2017 dated 23.04.2017 ['subject FIR'] registered at Police Station: Ashok Vihar for offences under section 323, 341, 354, 509 and 34 of the Indian Penal Code, 1860 ['IPC'] and proceedings arising therefrom.

2. Petitioner nos. 1, 2 and 3 are present in Court and have been identified by the Investigation Officer ['I.O'] and the counsel.

[1] Corresponding to Section 528 of Bhartiya Nagarik Suraksha Sanhita ['BNSS']

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3. Respondent no. 2's husband Mr. Dharmendra is present in Court and has been identified by the I.O.

4. It is stated in the petition that, on 23.04.2017 when the Respondent no. 2 was on her way to the restroom, the Petitioners along with their companions crossed path with Respondent no. 2 and started abusing her because she belonged to a different political party. Soon a scuffle broke out between the parties and in the meantime, the Petitioners pulled the *Mangalsutra* (sacred necklace) of the Respondent no. 2 from her neck. Thereafter, Respondent no. 2's brother-in-law, husband and sister-in-law came to rescue her; however, they were also beaten up by the Petitioners.

5. It is stated that thereafter, upon receiving DD. No. 15A, police official SI Sandeep Sahib reached the spot where the scuffle broke out and the parties were separated and sent for medical treatment to Deep Chand Bandhu Hospital.

6. It is stated that thereafter, the MLCs of the injured parties were obtained by the Police officer and after that cross FIR's against both the parties that is the subject FIR and FIR No. 163/2017 respectively, for offences under section 323, 341, 354, 509 and 34 IPC, was registered by the Police at Police Station: Ashok Vihar, wherein both the parties have been facing trial.

7. It is stated that Charge-sheet has been filed. Charges have been framed.

8. It is stated that, during the pendency of the proceedings, the

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Petitioners and Respondent no. 2 entered into settlement amicably *vide* Memorandum of Understanding ['MoU'] dated 18.02.2025.

9. Mr. Hitesh Vali, learned Additional Public Prosecutor ['APP'] states on instructions from the I.O. that he has verified from the Respondent no. 2 that she has executed the affidavit dated 15.05.2025 recording her 'No objection' to quashing of this FIR.

9.1 He submits that the cross FIR No. 163/2017 in which Respondent no. 2 is an accused, has also been compounded under the same MoU dated 18.02.2025.

9.2 He submits that the Petitioners do not have any other criminal antecedents.

9.3 He submits that the State has no objection on quashing of the subject FIR.

10. This Court has interacted with the Husband of the Respondent no. 2. He confirms that Respondent no. 2 has executed the affidavit dated 15.05.2025 recording her 'No objection', which has been filed at internal page 41 of the petition.

11. Learned counsel for the parties also submit that the parties have entered into the settlement voluntarily, without any coercion or undue influence.

12. In light of the aforesaid mutual settlement, the parties seek quashing of the subject FIR and all consequential proceedings arising therefrom.

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13. This Court has heard the Learned counsel for the parties and perused the record.

14. The Supreme Court has consistently recognised that, in appropriate cases, the High Courts may exercise their inherent powers under Section 528 of the BNSS [corresponding to Section 482 of the CrPC] to quash criminal proceedings, including those involving non-compoundable offences, where the parties have amicably settled their disputes, provided that such settlement does not adversely affect any overriding public interest.

15. The Supreme Court in **Narinder Singh & Ors. v. State of Punjab & Anr.**[2] , while considering the scope of exercise of inherent jurisdiction in a case arising out of a private dispute and involving, inter alia, actions of causing hurt, held that the High Court is not precluded from quashing criminal proceedings merely because the offence is non-compoundable. In **Narinder Singh** (supra), FIR had been registered under Section 307 IPC, chargesheet had been filed, charges framed, however, the parties arrived at a settlement and the Supreme Court held that in the facts of the said case to promote harmony the FIR ought to be quashed under Section 482 Cr. P.C. The Supreme Court has also laid down guidelines for High Courts while accepting settlement deeds between parties for non-compoundable offences 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

[2] (2014) 6 SCC 466

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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**

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to him by not quashing the criminal cases."

[Emphasis supplied]

16. The present case arises out of a dispute related to different political ideologies which lead to a quarrel, which has been since resolved amicably. The dispute appears to have arisen on the spur-of-the-moment and is not pre-mediated. There are no criminal antecedents of the Petitioners. Also, Respondent no. 2 has unequivocally stated in her affidavit dated 15.05.2025 that the settlement was entered into voluntarily and she has no objection to grant of the relief sought in the present petition.

17. In these circumstances, this Court is of the view that the present case warrants the exercise of this Court's inherent jurisdiction, as such an order would advance the ends of justice by enabling the parties to live in peace and harmony rather than perpetuating animosity. The continuation of the criminal proceedings is also unlikely to culminate in a conviction and would amount to an empty formality, thereby unnecessarily burdening the judicial system and leading to the avoidable consumption of public resources.

18. In view of the above and to Petitioner nos. 1, 2 and 3 each are directed to pay Rs. 5,000/- to Delhi High Court Legal Service Committee ['DHCLSC'] within two (2) weeks and filing proof of payment within three (3) weeks from today.

19. Subject to payment of the cost hereinabove with the time granted, FIR No. 162/2017 at P.S. Ashok Vihar, Delhi, the chargesheet and proceedings emanating therefrom is hereby quashed.

20. Parties shall abide by the terms of the MoU.

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21. Accordingly, the present petition is allowed.

22. Pending applications, if any, stands disposed of.

23. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

OCTOBER 6, 2026/*rhc*/IB

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