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

+ CRL.M.C. 7450/2025
ANKIT MAHAJAN

.....Petitioner

Through: Mr. Sanjeev Sharma, Advocate.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Ms. Priyanka Dalal, APP for State.
ASI Ravi Kumar.
Complainant in person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **27.01.2026**

1. The petitioner has 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 quashing of FIR No. 139/2024 dated 05.02.2024, registered at Police Station Pahar Ganj, Delhi, under Sections 279 and 337 of the Indian Penal Code, 1860 ["IPC"], alongwith all proceedings emanating therefrom, on the ground that the parties have amicably settled their disputes.

2. The petitioner is present in Court and has been identified by Mr. Sanjeev Sharma, learned counsel appearing on his behalf, as well as by the Investigating Officer. Respondent No. 2 (the injured) is also present in person and has been identified by the Investigating Officer.



3. On 05.02.2024, at about 12:40 A.M., the petitioner was driving the vehicle bearing Registration No. DL-8-CAV-7688 from the Aram Bagh roundabout towards DBG Road. During the course of the said journey, the vehicle struck respondent No. 2 from behind, as a consequence of which he fell on the road and sustained injuries. The petitioner thereafter left the spot with the vehicle. Respondent No. 2 was subsequently removed to Lady Hardinge Medical College Hospital [“LHMC”] by the PCR, where his Medico-Legal Case [“MLC”] was prepared on the same date.

4. On the basis of the said MLC, FIR No. 139/2024 was registered on 05.02.2024 at Police Station Pahar Ganj. Upon completion of investigation, a charge-sheet was filed, and the case is presently pending before the learned ACJM-01, Central District, Tis Hazari Courts, New Delhi.

5. The matter was thereafter referred to mediation in Delhi Mediation Centre, Tis Hazari Courts, Delhi, *vide* order dated 13.05.2025 by the learned ACJM, pursuant to which the parties have amicably resolved their disputes. The settlement was executed between the petitioner and respondent No. 2 on 11.07.2025.

6. Upon inquiry, it has been informed that during the pendency of the criminal proceedings, the proceedings before the Motor Accident Claims Tribunal [“MACT”] have since been concluded, and respondent No. 2 has received compensation of Rs. 3,50,000/- in respect of the injuries sustained in the accident.

7. In terms of the settlement arrived at between the parties, and in addition to the compensation already received by respondent No. 2 in the



MACT proceedings, the petitioner has paid a further sum of Rs. 2,30,000/- to respondent No. 2, which is duly acknowledged. Both parties are present before the Court and have unequivocally stated that the settlement has been entered into voluntarily, of their own free will, and without any force, fraud, or coercion. Respondent No. 2 has further stated that, having received the aforesaid amount, he has no objection to the quashing of the FIR and all proceedings arising therefrom.

8. Although the offence under Section 279 of the IPC is non-compoundable, it is well settled that the High Court, in exercise of its inherent jurisdiction under Section 528 of the BNSS (corresponding to Section 482 of the CrPC), is empowered to quash criminal proceedings even in respect of non-compoundable offences, where the parties have amicably settled their dispute and where the quashing of such proceedings does not impinge upon any overriding public interest.

9. 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

¹ (2012) 10 SCC 303.



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 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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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

10. The criminal proceedings in the present case arise out of a road accident, and do not disclose any particular allegation of a deliberate or premeditated act on the part of the petitioner. While I am informed that the MLC records the injuries suffered by respondent No. 2 as “grievous”, it is not in dispute that he has already been compensated in the proceedings before the MACT. The parties have, thereafter, amicably resolved all their *inter se* disputes, and respondent No. 2 has categorically affirmed before this Court that the settlement has been entered into voluntarily. In view of the nature of the allegations, the subsequent



settlement between the parties, and the compensation already received by the injured – respondent No.2, the likelihood of conviction is remote. Continuation of the criminal proceedings in such circumstances would, therefore, be an exercise in futility, serving no useful purpose and resulting only in an unnecessary consumption of judicial time and public resources.

11. Having regard to the aforesaid discussion, the present petition is allowed, and FIR No. 139/2024 dated 05.02.2024, registered at Police Station Pahar Ganj, Delhi, under Sections 279 and 337 of the IPC, alongwith all proceedings arising therefrom, is hereby quashed, subject to payment of costs of Rs.20,000/- by the petitioner. The said amount shall be deposited with the Delhi High Court Bar Association Costs Account [A/C No. 15530110179338; IFSC No. UCBA0001553; UCO Bank, Delhi High Court Branch] within a period of two weeks.

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

13. The petition is accordingly disposed of.

PRATEEK JALAN, J

JANUARY 27, 2026

“Bhupi”/SD/

⁴ Emphasis supplied.