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

+ CRL.M.C. 7565/2025

ARUN KUMAR & ORS.

.....Petitioner

Through: Mr. Kartik Shankar, Advocate.

versus

THE STATE GOVT NCT OF DELHI & ANR.Respondent

Through: Ms. Manjeet Arya, APP for State.
Mr. Akash, Mr. Rajan, Ms. Pooja
Tiwari & Ms. KM Akanksha,
Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **21.05.2026**

1. The petitioners have preferred the present petition seeking quashing of FIR No. 44/2022, dated 16.01.2022, registered at Police Station Budh Vihar, Rohini District, Delhi, for offences punishable under Sections 308/34/506 of the Indian Penal Code, 1860 ["IPC"], alongwith all consequential proceedings arising therefrom, on the basis of a settlement between the parties.

2. This petition is listed on an Office Note. Although the matter was scheduled to be listed on 19.03.2026, it was inadvertently omitted from the cause list. The parties, as well as their learned counsel, have been informed, and all are present before the Court.

3. Issue notice. Ms. Manjeet Arya, learned Additional Public Prosecutor, accepts notice on behalf of the State. Mr. Akash, learned counsel, accepts notice on behalf of respondent No. 2.



4. With the consent of learned counsel for the parties, the petition is taken up for hearing.
5. The impugned FIR was registered at the instance of respondent No. 2 against the petitioners, who are neighbours of the complainant. The allegations are that on 16.01.2022 at about 11:30 AM, near Nagar Nigam School, Sector-24, Rohini, respondent No. 2 and his friend, Sunny, were allegedly assaulted by the petitioners. It is further alleged that the petitioners threatened respondent No. 2 and Sunny with dire consequences in the event the matter was reported to the police.
6. Upon completion of the investigation, a chargesheet came to be filed against the petitioners on 23.11.2022.
7. During the pendency of the proceedings, the parties entered into a Memorandum of Understanding dated 24.03.2025 in order to put a quietus to the dispute. The settlement does not involve any monetary consideration.
8. Ms. Arya points out that there were two victims in the incident, namely respondent No. 2 and Sunny. Sunny is also present before the Court. Mr. Akash has handed over a *vakalatnama* on behalf of Sunny, which is taken on record.
9. Although the allegations pertain to the petitioners having assaulted the victims with bricks, the injuries sustained by the victims have been opined to be simple in nature. Both the victims are present before the Court and are duly represented through learned counsel. They submit that no permanent or lasting injury has been suffered by either of them. It is also noted that the parties are known to each other and belong to the same neighbourhood.



10. The parties have confirmed before this Court that they have settled their disputes amicably. The victims also confirm that they do not wish to pursue the criminal proceedings against the petitioners.

11. Learned counsel for the parties confirm that the settlement has been entered into voluntarily and without any coercion or undue pressure.

12. In light of the aforesaid, the parties seek quashing of the impugned FIR.

13. Even in cases involving non-compoundable offences, the Supreme Court has consistently held that, in appropriate cases, the High Court may exercise its inherent jurisdiction to quash an FIR and the proceedings arising therefrom on the basis of a settlement between the parties. 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.

¹ (2012) 10 SCC 303.



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, which involved an offence under Section 307 of the IPC, 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.

² Emphasis supplied.

³ (2014) 6 SCC 466.



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

14. The present case arises out of a neighbourhood dispute between the parties, who are known to each other and reside in the same locality, which ultimately resulted in the registration of the present FIR. The incident pertains to the year 2022, and during the pendency of the proceedings, the parties have amicably resolved their disputes by way of a settlement. The injuries sustained by respondent No. 2 and Sunny have been opined to be simple in nature, and both victims, who are present before the Court, have categorically stated that they have not suffered any permanent or lasting injury. The Medico-Legal Case [“MLC”] of respondent No. 2 is on record, which states that he suffered a laceration

⁴ Emphasis supplied.



measuring 3 × 0.5 cm in the parietal region of the head, swelling on the forehead, and a bruise on the elbow. The opinion of the Radiologist was that there was no bony injury, thereby classifying the injuries as simple in nature. Although it was alleged in the FIR that respondent No. 2 sustained an injury on his leg by the use of a knife, no such injury on the leg has been reported in the MLC. In these circumstances, this Court is of the view that the present matter warrants the exercise of its inherent jurisdiction, as continuation of the proceedings would serve no useful purpose, and quashing of the FIR would advance the ends of justice by enabling the parties to maintain peace and harmony in the locality rather than perpetuating discord and animosity.

15. The petition is, accordingly, allowed, and FIR No. 44/2022, dated 16.01.2022, registered at Police Station Budh Vihar, Rohini District, Delhi, for offences punishable under Sections 308/34/506 of the IPC, alongwith all consequential proceedings arising therefrom, is hereby quashed.

16. Having regard to the circumstances giving rise to the impugned FIR and the nature of allegations therein, I accept the suggestion of Ms. Arya that the present case warrants the imposition of community service upon the petitioners. The petitioners are accordingly directed to report to the Medical Superintendent, Dr. Baba Saheb Ambedkar Hospital, on 30.05.2026 at 11:00 A.M., who shall assign them suitable duties and tasks for 2 hours a day for 6 sessions, to be completed within the next two months. The nature and timing of such duties shall be determined by the Medical Superintendent, and may be assigned to each of the petitioners separately or together. The petitioners shall file compliance affidavits



alongwith a certificate issued by the said Hospital within one week thereafter.

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

18. The petition is accordingly disposed of.

PRATEEK JALAN, J

MAY 21, 2026

'pv/JM' /