



\$~22 & 23

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

+ CRL.M.C. 7591/2025

VIJAY KUMAR BHARTI & ORS.Petitioners

versus

STATE THROUGH SHO
PS SULTANPURI & ORS.

.....Respondents

+ CRL.M.C. 7696/2025

SACHIN & ORS.Petitioners

versus

THE STATE OF NCT OF DELHI AND ORSRespondents

Appearance:- Mr. Brahmanand Gupta, Advocate for Petitioners in
Item Nos. 22 & 23.
Mr. Hitesh Vali, APP with Ms. Pragati Gupta and Mr.
Samar Pratap Singh, Advocates.
SI Braham Prakash, PS Sultan Puri.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER
09.02.2026

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1. The present petitions under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"] (corresponding to Section 482 of Criminal Procedure Code, 1973) seek quashing of two FIRs, being FIR No. 908/2017 dated 22.12.2017 for offences punishable under Sections 324/509/34 of the Indian Penal Code, 1860, ["IPC"] (subject matter of CRL.M.C. 7591/2026) and FIR No. 902/2017 dated 21.12.2017 for



offences punishable under Sections 323/324/354B/356/379/34 of the IPC (subject matter of CRL.M.C. 295/2026), alongwith all consequential proceedings emanating therefrom, on the basis of settlement arrived at between the parties. Both FIRs were registered at Police Station Sultanpuri, Outer District, Delhi.

2. Issue notice. Mr. Hitesh Vali, learned Additional Public Prosecutor, accepts notice on behalf of the State in both petitions. Respondent No. 2 in CRL.M.C. 7591/2026 appears in person and accepts notice. Mr. Brahmanand Gupta, learned counsel, accepts notice on behalf of the respondents in CRL.M.C. 295/2026.

3. The cross-FIRs have been filed by neighbours against each other and arise out of the same incident dated 19.12.2017.

4. In CRL.M.C. 7591/2026, the allegation is that on 19.12.2017, respondent No. 3 - the son of the complainant/respondent No. 2 - was allegedly assaulted by neighbouring persons, i.e., petitioners herein, near Sanjay Gandhi Khatta while returning home, after which respondent No. 2 reached the spot and was also allegedly abused and physically assaulted by several neighbours. Upon completion of investigation, a chargesheet was filed in August 2018. The case [Cr. Case 4265/2018] is pending before the Court of Judicial Magistrate First Class (Mahila Court) ["JMFC"], District North West, Rohini Courts, and is next listed on 30.04.2026 for framing of charges.

5. On the other hand, FIR No. 902/2017, which is the subject matter of CRL.M.C. 295/2026, was registered on the complaint of the petitioners in CRL.M.C. 7591/2026, alleging that on 19.12.2017, the petitioners herein assaulted them, molested respondent No. 2's sister-in-law,



snatched her mangalsutra, and attacked her husband with a sharp object. Upon completion of investigation, a chargesheet was filed in September 2018. The case [Cr. Case No. 665/2019] is pending before the Court of JMFC, District North West, Rohini Courts, Delhi, at the stage of miscellaneous appearance, and is next listed on 21.04.2026.

6. The Medico-Legal Case [“MLC”] Reports in both cases show simple injuries.

7. During the pendency of the proceedings, with the intervention of common friends and neighbours, the parties entered into a settlement on 11.09.2019 at the Delhi Mediation Centre, Rohini Courts, covering 18 FIRs and criminal cases filed by them against each other. The settlement agreement bears signatures of the parties, their respective counsel, and the learned Mediator.

8. Affidavits of the respective complainants, signifying their no objection to the quashing of the impugned FIRs and all consequential proceedings arising therefrom, have also been placed on record.

9. I have heard learned counsel for the parties. Some of the parties are present in Court, while others are appearing on video conference, and they have been identified by the Investigating Officer and Mr. Gupta.

10. I am informed that most of the proceedings have already been resolved. The complainants in both cases state that the allegations against each other arose out of a misunderstanding stemming from a trivial neighbourhood dispute. They confirm before the Court that they have settled their disputes and do not wish to proceed with the criminal proceedings against each other. They continue to live in the same locality and wish to maintain peace.



11. In light of the aforesaid, the parties seek quashing of the impugned FIRs.

12. Even in the case of non-compoundable offences, the Supreme Court has held that, in appropriate cases, the Court may quash the FIR on the ground of settlement. In *Gian Singh v. State of Punjab and Anr.* [(2012) 10 SCC 303], 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-fast category can be prescribed.”

[Emphasis supplied.]



Further, in *Narinder Singh and Ors. v. State of Punjab and Anr.* [(2014) 6 SCC 466], 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.

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.”

[Emphasis supplied.]

13. The present matters arise from cross-FIRs lodged by neighbours in relation to the same incident dated 19.12.2017, which appears to have emanated from a sudden neighbourhood dispute. The injuries reflected in the MLCs are simple in nature, and the parties have amicably settled their disputes before the Mediation Centre, Rohini Courts, placing on record affidavits affirming the voluntary nature of the settlement and expressing no objection to quashing. In these circumstances, continuation of the proceedings would serve no useful purpose and is unlikely to result in convictions, amounting instead to an unnecessary diversion of judicial resources. This Court, therefore, considers it a fit case for exercise of inherent powers under Section 528 of the BNSS to quash the FIRs and promote peace between the parties.

14. The petitions are therefore allowed, and FIR No. 908/2017 dated 22.12.2017, registered at P.S. Sultanpuri under Sections 324/509/34 of the IPC, and FIR No. 902/2017 dated 21.12.2017 under Sections 323/324/354B/356/379/34 of the IPC, alongwith all consequential proceedings emanating therefrom, are hereby quashed.

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

16. Accordingly, the petitions stand disposed of.

PRATEEK JALAN, J

FEBRUARY 9, 2026

‘pv/JM’/