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

+ CRL.M.C. 7814/2025

ONKAR & ANR.

.....Petitioners

Through: Mr. Vikas Nagwan & Ms. Tripta Chaudhary, Advocates.

versus

THE STATE GOVT OF NCT
OF DELHI & ANR.

.....Respondents

Through: Mr. Ajay Vikram Singh, APP for State.
SI Trilok Kumar, PS Karol Bagh
R-2 in Person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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20.02.2026

1. The petitioners have filed this 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. 18/2018 dated 09.01.2018, registered at Police Station Karol Bagh, District Central, Delhi, under Sections 308/380/452/506(2)/34 of the Indian Penal Code, 1860 ["IPC"] and all proceedings emanating therefrom, on the ground of settlement.
2. Issue notice. Mr. Ajay Vikram Singh, learned Additional Public Prosecutor, accepts notice on behalf of the State. Respondent No. 2 appears in person and states that he does not wish to avail legal aid.
3. The petition is taken up for disposal with the consent of learned counsel for the parties.



4. The FIR arises out of a business dispute between the parties, who were carrying on business of mobile phones and accessories in neighbouring shops at Karol Bagh. On 09.01.2018, an altercation took place between them, pursuant to which the present FIR was registered at the instance of respondent No. 2. A copy of the Medico Legal Case [“MLC”] report is handed up in Court and taken on record. The MLC reflects that the nature of injuries sustained by respondent No. 2 was simple. No sharp weapon or firearm was used in the incident.

5. Upon completion of investigation, a chargesheet was filed in December 2021. The case [SC No. 177/2024] is pending before the Additional Sessions Judge, District Central, Tis Hazari Courts, Delhi, and is next listed on 10.03.2026 for “*Misc./Appearance*”.

6. The parties have entered into a settlement recorded in a Memorandum of Understanding dated 08.05.2018, whereby they have amicably resolved their disputes. It has been agreed that all the parties shall maintain harmonious relations, shall not pursue any claims against each other, and respondent No. 2 shall cooperate in quashing of the FIR.

7. In light of the aforesaid settlement, the parties seek quashing of the impugned FIR and all consequential proceedings.

8. The petitioners are present in Court and are identified by their learned counsel and the Investigating Officer [“IO”]. Respondent No. 2 is also present in person and is identified by the IO.

9. Learned counsel for the parties submit that the settlement has been entered into voluntarily, without any coercion, pressure, or undue influence. Respondent No. 2, who is present in Court states that the disputes arose out of a trivial misunderstanding and affirms that he has



executed the settlement of his own free will and is satisfied with its terms.

10. The Supreme Court has clearly held that, in certain circumstances, the High Courts, in exercise of their powers under Section 528 of BNSS (corresponding to Section 482 of CrPC), can quash criminal proceedings, even with respect to non-compoundable offences, on the ground that there is a compromise between the accused and the complainant, especially when no overarching public interest is adversely affected.

11. In *Gian Singh v. State of Punjab & Anr.*¹, the Supreme Court 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 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

¹ (2012) 10 SCC 303.



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 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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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

12. The offences alleged in the subject FIR arise out of business dealings between the parties, who were independently carrying on the business of mobile phones and accessories. On account of disputes and differences arising from such commercial transactions, an altercation took place on 09.01.2018, leading to the present FIR. The nature of injuries in the MLC is also stated to be simple. In view of the principles enunciated by the Supreme Court regarding the exercise of inherent powers under Section 528 of BNSS read with Section 482 of CrPC, and considering that respondent No. 2 is present before this Court and has affirmed that the settlement between the parties is voluntary and amicable, it is evident that the likelihood of conviction is remote. In such circumstances, the continuation of the proceedings would serve no meaningful purpose and would merely result in unnecessary expenditure of judicial time and resources.

13. Having regard to the above discussion, the petition is allowed, and



FIR No. 18/2018 dated 09.01.2018, registered at Police Station Karol Bagh, District Central, Delhi, under Sections 308/380/452/506/34 of the Indian Penal Code, 1860 [“IPC”] and all proceedings emanating therefrom, on the ground of settlement, are hereby quashed.

14. However, I accept the suggestion of Mr. Singh that the petitioners be subject to an order of costs for the burden imposed on the justice system. The petitioners are directed to deposit costs of Rs.10,000/- each 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 from today. A compliance affidavit in this regard be filed within one week thereafter.

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

16. The petition accordingly stands disposed of.

PRATEEK JALAN, J

FEBRUARY 20, 2026

‘pv/JM’/

⁴ Emphasis supplied.