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

+ **CRL.M.C. 7829/2025**

SATISH CHAND

.....Petitioner

Through: Mr. Davesh Kr. Sharma, Mr.
Sandeep Chandela & Mr. Deepak
Kumar, Advocates.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Hitesh Vali, APP for State
with SI Akash Kumar, PS Bhajan
Pura

Mr. Umesh Kumar, Ms. Shashi
Bala & Mr. Vijay Laxi Goel,
Advocates for R-2 with R-2 in
Person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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15.01.2026

1. The petitioner has 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. 557/2020 dated 01.10.2020, registered at Police Station Bhajan Pura, North East District, Delhi, under Sections 354/506/509 of the Indian Penal Code, 1860 ["IPC"] and all consequential proceedings emanating therefrom, on the ground of settlement.

2. Respondent No. 2 - complainant was working as a computer



operator at Shri Sain Samaj Co-operative Thrift and Credit Society Ltd. [“Society”], Bhajanpura, Delhi. She filed a complaint alleging that two of her colleagues, namely a clerk in the Society (the petitioner herein) and an Executive Member of the Society, misbehaved with her and made inappropriate comments, on the basis of which the subject FIR has been registered.

3. A chargesheet has been filed, and charges have been framed against the petitioner under Sections 354/506/509 of the IPC.

4. At the request of both parties, the Trial Court, *vide* order dated 28.05.2025, referred the matter to mediation. The parties entered into a settlement before the Mediation Centre, Karkardooma Courts, North East District, Delhi, on 08.07.2025, under which it was agreed that the petitioner would pay the complainant a sum of Rs. 30,000/-. The charges against the other accused have also been compounded, and the accused has been acquitted.

5. In view of the above, the petitioner seeks quashing of the FIR and the proceedings emanating therefrom.

6. The petitioner and respondent No. 2 are present in Court and are identified by their respective counsel and the Investigating Officer.

7. During the course of proceedings before this Court, respondent No. 2 has handed over an affidavit stating that she does not wish to take any monetary consideration. The affidavit is taken on record.

8. Learned counsel for the respondent No. 2 submits that respondent No. 2 is still working in the same organization and does not wish to proceed with criminal proceedings against the petitioner. She submits that the FIR was born out of a misunderstanding and she has no objection to



quashing thereof. I have also interacted with respondent No. 2, and she confirms that the settlement has been made of her own free will, without any fear or pressure from any quarter.

9. Although the offence under Section 354 of IPC is non-compoundable, 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.

10. 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 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,*

¹ (2012) 10 SCC 303.



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 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

11. The allegation in the subject FIR pertains to two colleagues of the complainant. The offence with regard to one of the accused has already been compounded. Respondent No. 2 has indicated that she does not wish to proceed with the FIR against the other accused, i.e., the present petitioner, also, in the interest of harmonious relationship at the work place. The case is essentially of a private nature and does not involve any public element.

12. I am therefore of the view that it is appropriate to exercise the inherent powers of this Court to quash the FIR in the present circumstances.

13. Accordingly, the petition is allowed and FIR No. 557/2020 dated

⁴ Emphasis supplied.



01.10.2020, registered at Police Station Bhajan Pura, Delhi, under Sections 354/506/509 IPC, alongwith all consequential proceedings, is hereby quashed.

14. However, in view of the submissions recorded above, the petitioner is directed to pay the litigation cost of Rs. 15,000/- to respondent No. 2 and to deposit costs of Rs. 15,000/- with the Delhi High Court Bar Association Costs Account within two weeks. Affidavit of compliance be filed within the same period.

PRATEEK JALAN, J

JANUARY 15, 2026

'pv/JM'/