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

+ **CRL.M.C. 7890/2025**

MANOHAR & ORS.

.....Petitioners

Through: Mr. Rajpal Kasana, Mr. Nagendra Kasana, Mr. Sachin Bhati, Ms. Anjana Kasana, Mr. Neeta Kasana, Advocates.

versus

STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Ms. Manjeet Arya, APP. ASI Rajesh, PS-Saket.
Mr. Sahil Mahajan, Advocate for complainant.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **10.04.2026**

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. 366/2021 dated 16.12.2021, registered at Police Station Saket, Delhi, for the offences punishable under Sections 323/341/506/34 of the Indian Penal Code, 1860 ["IPC"], and all proceedings emanating therefrom, on the ground that the parties have amicably settled their disputes.
2. Issue notice. Ms. Manjeet Arya, learned Additional Public Prosecutor, accepts notice on behalf of the State. Mr. Sahil Mahajan, learned counsel, accepts notice on behalf of respondent No. 2.
3. The petition is taken up for hearing with the consent of learned



counsel for the parties.

4. Mr. Rajpal Kasana, learned counsel for the petitioners, submits that the petitioners and respondent No. 2 reside in the same locality and that the dispute arose out of a Resident Welfare Association election, which led to an altercation at the Saket Court Complex.

5. The impugned FIR arises out of an incident dated 16.12.2021 outside Court Room No. 8, Saket Courts Complex, New Delhi. It is alleged that when respondent No. 2 came out of the courtroom, he was slapped, kicked, punched, and dragged by the petitioners. It is further alleged that, during the assault, one of the accused used discriminatory words against him. A chargesheet has since been filed against the petitioners.

6. The petitioners and respondent No. 2 have since settled their disputes and entered into a Settlement Agreement dated 12.09.2024, whereby all disputes between the parties have been amicably resolved without any monetary consideration. The parties have agreed to withdraw their respective complaints/FIRs and to cooperate in quashing proceedings. They have further undertaken not to pursue any litigation, not to make defamatory statements, and not to interfere in each other's affairs, with a stipulation that any breach shall entail a penalty of Rs. 1,00,000/-. The terms of the settlement are binding upon the parties.

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

8. The parties are present in Court and are identified by their learned counsel and the Investigating Officer.

9. Learned counsel for the parties confirm that the settlement has been



entered into voluntarily and without any coercion or undue influence. An affidavit of No-Objection Certificate of respondent No. 2 has also been placed on record, wherein it is stated that he has resolved the disputes with the petitioners of his own free will, and has no objection to the impugned FIR being quashed.

10. 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. 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, 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.*, the Supreme Court laid down guiding principles for the exercise of inherent powers while considering quashing of criminal proceedings on the basis of settlement. The relevant observations 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

² Emphasis supplied.



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.”³

11. The present case arises out of a minor altercation between members residing in the same locality, which appears to have stemmed from a misunderstanding in connection with a Resident Welfare Association election, ultimately resulting in a scuffle. The incident occurred when the dispute was being litigated before the Saket Court. The parties have since amicably resolved their differences. I am informed that no weapons were used and the injuries sustained by respondent No. 2 were simple in nature. The parties continue to reside in the same locality and have settled the dispute. In view of these circumstances, I am of the opinion that the present case warrants the exercise of inherent jurisdiction, as such an order would advance the ends of justice by enabling the parties to live in peace and harmony rather than perpetuating animosity. Applying the tests laid down by the Supreme Court, it is evident that respondent No. 2 has categorically affirmed before this Court that the settlement is voluntary and without any coercion or undue influence. Further, the continuation of

³ Emphasis supplied.



the criminal proceedings is unlikely to result in a conviction and would amount to a mere formality, leading to unnecessary prolongation of litigation and avoidable consumption of judicial time and public resources.

12. In view of the foregoing discussion, the petition is allowed, and FIR No. 366/2021 dated 16.12.2021, registered at Police Station Saket, Delhi, for the offences punishable under Sections 323/341/506/34 of the IPC, and all consequential proceedings arising therefrom, are hereby quashed.

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

14. The petition is disposed of in the above terms.

PRATEEK JALAN, J

APRIL 10, 2026

'Bhupi/JM'/'