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

+ CRL.M.C. 7965/2025

AMERUDDIN @ AMMIRUDDIN & ORS.Petitioners
Through: Md. Zubair, Advocate.

versus

THE STATE NCT OF DELHI AND ORSRespondents
Through: Mr. Hitesh Vali, APP.
SI Arvind
Md. Tasleem, Advocate for R-2 to 5.

+ CRL.M.C. 7968/2025

NAIMUDDIN @ NAIM & ORS.Petitioners
Through: Md. Tasleem, Advocate.

versus

THE STATE NCT OF DELHI AND ORSRespondents
Through: Mr. Hitesh Vali, APP.
SI Arvind.
Md. Zubair, Advocate for R-2 to 5.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **17.03.2026**

1. The present petitions under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"] (corresponding to Section 482 of the Code of Criminal Procedure, 1973) seek quashing of two FIRs, namely, FIR No. 238/2014 dated 27.02.2014 registered for offences punishable under Sections 452/323/506/34 of the Indian Penal Code, 1860 ["IPC"] and under Sections 27 of the Arms Act, 1959 [subject matter of



CRL.M.C. 7965/2025] and FIR No. 239/2014 dated 28.02.2014 registered for offences punishable under Sections 323/452/506/427/34 and under Sections 27 of the Arms Act, 1959 [subject matter of CRL.M.C. 7968/2025], alongwith all consequential proceedings arising therefrom. Both FIRs were registered at Police Station Gokal Puri, Delhi, and the relief is sought on the basis of a settlement arrived at between the parties.

2. The present matters arise from two cross-FIRs, namely FIR No. 238/2014 and FIR No. 239/2014, registered at Police Station Gokalpuri, both of which stem from the same incident and involve parties who are closely related and belong to the same family. The FIRs arise out of a property dispute in 2014 which eventually escalated into a physical altercation.

3. In FIR No. 238/2014 [the subject matter of CRL.M.C. 7965/2025], the petitioners are arrayed as accused at the instance of respondent Nos. 2 to 5 therein; conversely, in FIR No. 239/2014 [the subject matter of CRL.M.C. 7968/2025], the said respondent Nos. 2 to 5 are themselves the petitioners, while the petitioners in CRL.M.C. 7965/2025 are arrayed as respondent Nos. 2 to 5 therein.

4. Both sides allege that the opposing faction, alongwith their respective family members, entered their premises, and assaulted them with rods and by hand, resulting in injuries. The allegations in the two FIRs are largely reciprocal in nature; however, FIR No. 239/2014 additionally contains allegations of damage to property, including a car, during the course of the incident, thereby attracting Section 427 IPC.

5. Following the aforesaid incident, the injured persons from both



sides were taken to Guru Teg Bahadur Hospital, Shahdara, Delhi, where their Medico-Legal Cases [“MLCs”] were prepared, recording that the injuries sustained were simple in nature and caused by blunt force.

6. During the pendency of the present proceedings, the parties have amicably resolved their disputes by way of a Compromise Deed dated 23.07.2025, without any monetary consideration. The respective complainants have also placed on record their affidavits affirming the voluntary nature of the settlement and stating that they have no objection to the quashing of the impugned FIRs and all consequential proceedings.

7. I have heard learned counsel for the parties. The parties are present in Court and have been duly identified by the Investigating Officer as well as by their respective counsel. It is submitted that the disputes underlying the FIRs arose from a minor disagreement between members of the same family. The parties have since amicably resolved their differences and do not wish to pursue the criminal proceedings any further, and have expressed their intention to maintain cordial relations and live in peace without any subsisting animosity.

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

9. It is well settled that, even in respect of non-compoundable offences, the High Court may, in appropriate cases, exercise its inherent jurisdiction to quash criminal proceedings 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

¹ (2012) 10 SCC 303.



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.”²

Further, in *Narinder Singh and Ors. v. State of Punjab and 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

² Emphasis supplied.

³(2014) 6 SCC 466.



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.”⁴

10. The present matters arise from cross-FIRs between members of the same family, and the allegations therein are predominantly private in nature, stemming from a personal dispute which has since been amicably

⁴ Emphasis supplied.



resolved. The injuries sustained by the parties, as reflected in the MLCs, are simple in nature and caused by blunt force. I am informed that charges have not yet been framed. Although allegations under the Arms Act, 1959 have been invoked, no weapon has been recovered. In these circumstances, the possibility of conviction is remote and bleak, and the continuation of the criminal proceedings would serve no useful purpose; rather, it would amount to an abuse of the process of law and unnecessarily prolong discord between the parties.

11. Having regard to the nature of the dispute, the simple injuries sustained, the absence of any overarching societal impact, and the voluntary settlement arrived at between the parties, this Court is of the view that continuation of the criminal proceedings would serve no useful purpose and is unlikely to result in a conviction. On the contrary, it would lead to an unnecessary expenditure of judicial time and impede the restoration of harmony between the parties. This Court, therefore, considers it a fit case for the exercise of its inherent powers under Section 528 of the BNSS to secure the ends of justice and prevent abuse of the process of law.

12. Accordingly, the petitions are allowed. FIR No. 238/2014 dated 27.02.2014 registered for offences punishable under Sections 452/323/506/34 of IPC and under Sections 27 of the Arms Act, 1959 at Police Station Gokalpuri, and FIR No. 239/2014 dated 28.02.2014 registered for offences punishable under Sections 323/452/506/427/34 and under Sections 27 of the Arms Act, 1959 at Police Station Gokalpuri, Delhi, alongwith all consequential proceedings emanating therefrom, are hereby quashed.



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

14. The petitions, alongwith any pending applications, accordingly stand disposed of.

PRATEEK JALAN, J

MARCH 17, 2026
SS/SD/