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

+ CRL.M.C. 8037/2025

SANDEEP @ BANTI

.....Petitioner

Through: Mr. Ajay Kumar, Advocate with
petitioner in person

versus

STATE OF NCT DELHI AND ANR

.....Respondents

Through: Mr. Aashneet Singh, APP for State
with SI Aditi
Mr. Swami Nath, Advocate for R-2
with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **28.03.2026**

This petition was scheduled to be listed on 02.03.2026, but has been listed today, as 02.03.2026 was declared a holiday *vide* Notification No. 64/G-4/Genl.-I/DHC dated 27.02.2026.

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. 886/2023, dated 11.11.2023, registered at Police Station Shakarpur, under Section 392 of the Indian Penal Code, 1860 ["IPC"] and all proceedings emanating therefrom, on the ground of settlement.

2. Issue notice. Mr. Aashneet Singh, learned Additional Public Prosecutor, accepts notice on behalf of the State. Mr. Swami Nath,



learned counsel, accepts notice on behalf of respondent No.2.

3. The petitioner is present and is identified by learned counsel and the Investigating Officer [“IO”]. Respondent No. 2 is also present on video conference, and is identified by his learned counsel and the IO.

4. The petition is taken up for disposal with the consent of learned counsel for the parties.

5. Mr. Ajay Kumar, learned counsel for the petitioner, submits that the petitioner and respondent No. 2 are friends, and the dispute arises from a misunderstanding.

6. The impugned FIR was registered at the instance of respondent No.2, against the petitioner herein. The impugned FIR arises out of an incident dated 11.11.2023, where respondent No. 2 was returning home on his scooty, when the petitioner abused him, slapped him, and took Rs. 40,000/- from his pocket.

7. Subsequently, a charge sheet has also been filed.

8. The petitioner and respondent No. 2 have since settled their disputes, and entered into a Compromise Deed dated 04.11.2025. The settlement does not involve any monetary consideration. Mr. Kumar, in fact, draws my attention to the statement of respondent No. 2 under Section 164 of CrPC, which was recorded on 20.11.2023. It is recorded therein that parties settled the matter, including the petitioner returning the money on the very next day of registration of the impugned FIR.

9. In light of the aforesaid, the parties seek quashing of the impugned FIR.

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 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

¹ (2012) 10 SCC 303.

² Emphasis supplied.



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 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 misunderstanding between friends. Even though a settlement agreement was entered much later, the parties are stated to have resolved their differences amicably on the very next day of the registration of the impugned FIR, including the petitioner returning the money to respondent No. 2. I am informed that the amount taken has also been returned to respondent No. 2. In view of these circumstances, I am of the view that the present case warrants the exercise of the inherent jurisdiction of this Court, 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 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. 886/2023, dated 11.11.2023, registered at Police Station Shakarpur, under Section 392 of the IPC, and all consequential proceedings arising therefrom, is hereby quashed.

13. Mr. Singh points out that the petitioner has previously been

³ Emphasis supplied.



involved in eight matters, including the present one. However, he has either been acquitted or the FIR has been quashed, in all the cases. Nevertheless, having regard to circumstances giving rise to the impugned FIR, I accept the suggestion of Mr. Singh that an order of community service be imposed upon the petitioner.

14. The petitioner is thus directed to report to the Medical Superintendent of Dr. Hedgewar Aarogya Sansthan on 06.04.2026 at 11:00 AM. The Medical Superintendent of Dr. Hedgewar Aarogya Sansthan is requested to assign suitable duties to the petitioner for fifteen sessions of three hours each, over a period of four months, and to issue a certificate of compliance. Affidavit of compliance be filed by the petitioner within two weeks thereafter.

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

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

PRATEEK JALAN, J

MARCH 28, 2026

‘sv’/AD/