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

+ **CRL.M.C. 8723/2025**

MOBIN & ORS.

.....Petitioner

Through: Ms. Sheetu Mishra & Ms. Shivangi
Sachdeva, Advocates.

versus

STATE OF NCT OF DELHI & ANR

.....Respondent

Through: Mr. Yudhvir Singh Chauhan, APP.
SI Ansar Ali, PS Madhu Vihar.
Mr. Vinod Kumar, Advocate for
R-2.

+ **CRL.M.C. 8804/2025**

SUBHAS@SHUBHASH@SUBHASH & ORS.

.....Petitioner

Through: Mr. Vinod Kumar, Advocate.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondent

Through: Mr. Yudhvir Singh Chauhan, APP.
SI Ansar Ali, PS Madhu Vihar.
Ms. Sheetu Mishra & Ms. Shivangi
Sachdeva, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **16.04.2026**

1. The present petitions under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"] (corresponding to Section 482 of Criminal Procedure Code, 1973 ["Cr.P.C."]) seek quashing of two FIRs, being FIR No. 548/2016 dated 02.11.2016, for offences punishable under Sections 323/324/341/34 of the Indian Penal Code, 1860, ["IPC"]



(subject matter of CRL.M.C 8723/2025) and FIR No. 547/2016 dated 02.11.2016 for offences punishable under Sections 323/308/34 of the IPC (subject matter of CRL.M.C. 8804/2025), alongwith all consequential proceedings emanating therefrom, on the basis of settlement arrived at between the parties. Both FIRs were registered at Police Station Madhu Vihar, District East, Delhi.

2. Issue notice. Mr. Yudhvair Singh Chauhan, learned Additional Public Prosecutor, accepts notice on behalf of the State in both petitions. Mr. Vinod Kumar, learned counsel, accepts notice on behalf of respondent No. 2 in CRL.M.C. 8723/2025. Ms. Sheetu Mishra, learned counsel, accepts notice on behalf of respondent No.2 in CRL.M.C. 8804/2025.

3. All the parties are present in Court and have been identified by their respective counsel, as well as by the Investigating Officer.

4. The petitions are taken up for hearing together, with the consent of learned counsel for the parties.

5. The parties are neighbours residing in the same locality and are known to each other, and the dispute arose out of a personal monetary disagreement, which escalated into a brawl and culminated in the present cross-FIRs.

6. In CRL.M.C. 8723/2025, respondent No. 2 - Poonam filed a complaint alleging that on 02.11.2016 at about 7:00 PM, she alongwith her brother-in-law Shiv Kumar was proceeding towards Anand Vihar Railway Station when the petitioners wrongfully restrained them near Jhuggi No.111, Majboor Nagar. It is stated that petitioner No. 4 - Yunus alongwith Aakash initially obstructed their way, and thereafter Mobin and



Pankaj joined and allegedly started assaulting them. During the incident, the complainant's brother Anil reached the spot to intervene, whereupon petitioner Mobin allegedly struck him with a sharp object causing injuries. Thereafter, the complainant informed the police, and the injured persons were taken to Lal Bahadur Shastri ["LBS"] Hospital, leading to registration of FIR No. 0548/2016. As per the Medico-Legal Case ["MLC"], the nature of the injury was opined to be simple.

7. Upon completion of investigation, chargesheet was filed in September 2017 under Sections 323/324/341/34 of the IPC.

8. On the other hand, FIR No. 547/2016, which is the subject matter of CRL.M.C. 8804/2025, was registered on the complaint of respondent No. 2 - Yusuf, who alleged that a dispute arose with the petitioners regarding non-payment of wages to his brother Yunus. It is alleged that on 02.11.2016 at about 7:00 PM, during the altercation, petitioner No.2 Shiv Kumar @ Mithun struck Yunus on the head with an iron object, causing injuries. The complainant further alleged that when he intervened, petitioner No.1 Subhash assaulted him by slapping him multiple times. Thereafter, the injured Yunus was taken to LBS Hospital for treatment. As per the MLC, the nature of the injury was opined to be simple.

9. Upon completion of investigation, chargesheet was filed on 15.04.2023 and offence under Section 506 of the IPC was added.

10. I am informed by learned counsel for the parties that Yunus @ Unish [petitioner No. 4 in CRL.M.C. 8723/2025] has passed away during the pendency of the proceedings. It is further noted that Anil [petitioner No. 3 in CRL.M.C. 8804/2025], who had intervened during the incident,



is also stated to have expired.

11. During the pendency of the proceedings, the parties have amicably settled their disputes *vide* a Settlement Agreement dated 29.09.2025, executed without any coercion or undue influence. The dispute, arising out of a monetary misunderstanding between the parties engaged in the same profession, led to registration of cross-FIRs, but has now been resolved fully and finally. Both parties have agreed not to pursue the cases further and have undertaken to cooperate for quashing of the FIRs to maintain peace and cordial relations.

12. Affidavits of the respective complainants, signifying their no objection to the quashing of the impugned FIRs and all consequential proceedings arising therefrom, have also been placed on record.

13. The complainants in both cases, who are present in person, state before the Court that the allegations against each other arose out of a misunderstanding stemming from a trivial monetary dispute regarding non-payment of wages between the parties engaged in the same profession. They confirm before the Court that they have settled their disputes and do not wish to proceed with the criminal proceedings against each other. They continue to live in the same locality and wish to maintain peace.

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

15. 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. In *Gian Singh v. State of Punjab and Anr.* [(2012) 10 SCC 303], the Supreme Court 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.”

[Emphasis supplied.]

Further, in *Narinder Singh and Ors. v. State of Punjab and Anr.* [(2014) 6 SCC 466], 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 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.”

[Emphasis supplied.]

16. The present petitions arise out of cross-FIRs lodged by parties who are neighbours, pertaining to the same incident dated 02.11.2016, which emanated from a sudden altercation rooted in a trivial monetary dispute. The injuries sustained by the parties, as reflected in the MLCs, are simple



in nature. During the pendency of the proceedings, the parties have amicably resolved their disputes vide a voluntary settlement dated 29.09.2025, duly affirmed through affidavits placed on record, wherein they have expressed no objection to the quashing of the FIRs and all consequential proceedings. In these circumstances, continuation of the proceedings would serve no useful purpose and is unlikely to result in convictions, amounting instead to an unnecessary diversion of judicial resources. This Court, therefore, considers it a fit case for exercise of inherent powers under Section 528 of the BNSS to quash the FIRs and promote peace between the parties.

17. The petitions are therefore allowed, and FIR No. 548/2016 for offences punishable under Sections 323/324/341/34 of the IPC (subject matter of CRL.M.C 8723/2025) and FIR No. 547/2016 for offences punishable under Sections 323/308/506/34 of the IPC (subject matter of CRL.M.C. 8804/2025), both registered on 02.11.2016 at P.S. Madhu Vihar, District East, Delhi, alongwith all consequential proceedings emanating therefrom, are hereby quashed.

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

19. Accordingly, the petitions stand disposed of.

PRATEEK JALAN, J

APRIL 16, 2026

'pv/JM'/'