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

+ **CRL.M.C. 8732/2025 & CRL.M.A. 36448/2025**

SH. PANKAJ PANDEY@

HARI OM NARAYAN PANDEY

.....Petitioner

Through: Mr. Arvind Vats, Mr. Smarth
Sharan Jha and Ms. Bharti,
Advocates with Petitioner in
person.

versus

THE STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Hitesh Vali, APP with SI
Priyanka, P.S. S.P. Badli.
Ms. Yashika Arora and Ms. Diksha
Bansal, Advocates for R2 with R2
(VC).

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **16.03.2026**

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. 650/2017 dated 27.07.2017, registered at Police Station Samaipur Badli, District Rohini, New Delhi, under Sections 354A/506/509 of the Indian Penal Code, 1860 ["IPC"], alongwith consequential proceedings arising therefrom, on the ground that the dispute between the parties has been amicably settled.

2. Issue notice. Mr. Hitesh Vali, learned Additional Public



Prosecutor, accepts notice on behalf of the State. Ms. Yashika Arora, learned counsel, accepts notice on behalf of respondent No. 2 – complainant.

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

4. The allegations, as borne out from the impugned FIR, are that the petitioner, who was the nephew of the neighbour of respondent No. 2, had been following her for the past one year. On 27.07.2017, at around 9:25 AM, the petitioner came to her office, touched her shoulder, and intimidated her. Upon completion of investigation, a chargesheet was filed under Sections 354A/354D/506/509 of the IPC.

5. The parties have entered since into a settlement, as recorded in a Memorandum of Understanding dated 14.10.2025 [“MoU”]. In light of the aforesaid, the parties seek quashing of the impugned FIR.

6. The petitioner is present in Court, and is identified by his learned counsel as well as by the Investigating Officer. Respondent No. 2 is present through video conference, and is identified by her learned counsel and the Investigating Officer.

7. The MoU records that the disputes have been amicably resolved. Respondent No. 2, who is present in Court through video conference and is represented by learned counsel, has also stated that the allegations under Sections 354A and 354D of the IPC, arose out of a misunderstanding, and that she does not wish to pursue the same.

8. Learned counsel for the parties confirm that the settlement has been entered into voluntarily and without any coercion or undue influence. The affidavit/No-Objection Certificate of respondent No. 2 has also been



placed on record, wherein it is stated that she has resolved the disputes with the petitioner of her own free will, and has no objection to the impugned FIR being quashed.

9. The Investigating Officer states that the parties are no longer neighbours. Learned counsel for the parties confirm this position.

10. Although the offences under Sections 354A and 354D of the IPC are non-compoundable, the Supreme Court has clearly held that, in certain circumstances, the High Courts, in exercise of their powers under Section 482 of CrPC [corresponding to Section 528 of BNSS], 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.

11. The Supreme Court, in *Gian Singh v. State of Punjab and Anr.* [(2012) 10 SCC 303], 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.]

12. In the present case, the allegations in the impugned FIR, though serious, appear to arise out of a neighbourhood misunderstanding, and do not implicate any larger public interest or grave criminality. Applying the principles laid down by the Supreme Court, it is pertinent to note that respondent No. 2 has affirmed the voluntary nature of the settlement before the Court. In these circumstances, the continuation of the criminal proceedings is unlikely to result in a conviction and would serve no useful purpose, while merely adding to the burden on the justice system, and resulting in unnecessary consumption of public resources.

13. In view of the above discussion, the petition is allowed, and FIR No. 650/2017 dated 27.07.2017, registered at Police Station Samaipur Badli, District Rohini, New Delhi, under Sections 354A/506/509 of the IPC, alongwith consequential proceedings arising therefrom, is hereby quashed. However, having regard to the circumstances giving rise to the impugned FIR, the petitioner is directed to deposit costs of Rs. 10,000/-



with the Delhi High Court Bar Association [A/C No. 15530110179338, IFSC No. UCBA0001553, Bank Name: UCO Bank, Branch: Delhi High Court], within two weeks from today. An affidavit of compliance shall be filed within two weeks thereafter.

14. The petition, alongwith pending application, stands disposed of in terms of the aforesaid.

PRATEEK JALAN, J

MARCH 16, 2026

'Bhupi/KA'/'