



\$~31 Q

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

+ CRL.M.C. 8766/2025

SH. MOHINDER PAL SINGH AND ANR.Petitioners

Through: Mr. Lakshay Teotia, Adv.

versus

THE STATE GOVT. OF NCT
OF DELHI AND ANR

.....Respondents

Through: Mr. Hitesh Vali, APP with Mohd
Naved, Adv.
SI Ashok
R-2 in person (through VC).

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **19.05.2026**

CRL.M.A. 36528/2025 (exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 8766/2025

1. The petitioners have preferred the present petition seeking quashing of FIR No. 326/2018, dated 17.09.2018, registered at Police Station Anand Vihar, District Shahdara, Delhi, for offences punishable under Sections 323/341/506/34 of the Indian Penal Code, 1860 ["IPC"], alongwith all consequential proceedings arising therefrom, on the basis of a settlement between the parties.

2. Issue notice. Mr. Hitesh Vali, learned Additional Public Prosecutor, accepts notice on behalf of the State. Respondent No. 2 is present on videoconference and declines assistance of counsel.



3. The petitioners are present on video conference and have been duly identified by the Investigating Officer [“IO”] as well as by their learned counsel. Respondent No. 2 is also identified by the IO.
4. The FIR in question came to be registered at the instance of respondent No. 2 on allegations that on 16.09.2018 at about 11:15 PM, while respondent No. 2 was standing with his friends near H.No. A-281, Surajmal Vihar, Delhi, petitioner No. 2, who was known to respondent No. 2 from school days, allegedly slapped him following an earlier dispute between them. It is further alleged that petitioner No. 2’s father (petitioner No. 1) and certain other persons thereafter reached the spot and assaulted respondent No. 2 and also extended threats to him.
5. Upon completion of investigation, chargesheet was filed against the petitioners under Sections 323/341/506/34 of the IPC
6. During the pendency of the present proceedings, the parties have amicably resolved their disputes by way of a Memorandum of Understanding executed between them 18.01.2025. The settlement does not involve any monetary consideration.
7. I am informed that as per the Medico-Legal Case [“MLC”], the nature of injuries suffered by respondent No. 2 was opined to be simple.
8. The parties have confirmed before this Court that they have settled their disputes amicably. Respondent No. 2 also confirms that he does not wish to pursue the criminal proceedings against the petitioners.
9. Learned counsel for the parties also confirm that the settlement has been entered into voluntarily, without any coercion or undue influence.
10. In light of the aforesaid, the parties seek quashing of the impugned FIR.



11. Even in cases involving non-compoundable offences, the Supreme Court has consistently held that, in appropriate cases, the High Court may exercise its inherent jurisdiction to quash an FIR and the proceedings arising therefrom 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 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.]

¹ (2012) 10 SCC 303.



Further, in *Narinder Singh and Ors. v. State of Punjab and Anr*², 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

² (2014) 6 SCC 466.



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. The present case arises out of a personal dispute between the parties, who were admittedly known to each other from their school days. The allegations pertain to a quarrel and physical altercation which occurred in the heat of the moment. The injuries sustained are stated to be simple in nature. The incident pertains to the year 2018 and the proceedings have remained pending for several years. During the pendency of the proceedings, the parties have amicably settled all their disputes, and respondent No. 2 has categorically stated before this Court that he does not wish to pursue the matter any further.

13. Considering the nature of allegations, the amicable settlement between the parties, the voluntary stand taken by respondent No. 2, and the fact that the possibility of conviction is now remote and bleak, this Court is of the opinion that continuation of the criminal proceedings would serve no useful purpose and would merely result in unnecessary continuation of litigation. Quashing of the proceedings would therefore secure the ends of justice.

14. The petition is, accordingly, allowed, and FIR No. 326/2018 dated 17.09.2018, registered at Police Station Anand Vihar, District Shahdara, Delhi, for offences punishable under Sections 323/341/506/34 of the IPC, along with all consequential proceedings arising therefrom, is hereby quashed. Having regard to the age of the matter and the State resources spent in investigating and prosecuting the FIR, the petitioners shall collectively deposit costs of Rs. 15,000/- with the *Delhi High Court Bar*



Association Costs Account [A/C No. 15530110179338; IFSC No. UCBA0001553; UCO Bank, Delhi High Court Branch] within a period of two weeks from today. An affidavit of compliance shall be filed within two weeks thereafter.

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

16. The petition, alongwith the pending applications, is accordingly disposed of.

PRATEEK JALAN, J

MAY 19, 2026
'pv/JM'/