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

+ **CRL.M.C. 9056/2025**

ARJUN

.....Petitioner

Through: Ms. Shweta Singh, Mr. Sanjeet
Kumar and Mr. Sandeep
Vashishth, Advocates

versus

THE STATE NCT OF DELHI AND ANR.Respondent

Through: Mr. Tarang Srivastava, APP for
State with ASI Radhey Kishan, PS
Timarpur

Appearance for R2 not given.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **15.05.2026**

CRL.M.A. 1731/2026 (impleadment)

1. The present application has been filed by one of the accused in connection with FIR No. 429/2025 dated 08.10.2025, registered under Sections 110/351(2)/324(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 ["BNS"], seeking impleadment as petitioner No. 2 in the present petition.

2. For the reasons stated in the application, the same is allowed and the applicant, Dilip Kumar Meena, is impleaded as petitioner No. 2. The amended memo of parties annexed with the application is taken on record.

3. The application stands disposed of.

CRL.M.C. 9056/2025 & CRL.M.A. No. 37903/2025 (stay)

4. 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. 429/2025, dated 08.10.2025, registered at Police Station Timarpur, District North, Delhi, under Sections 110/351(2)/324(2)/3(5) of the BNS, together with all proceedings arising therefrom, on the ground that the dispute between the parties has been amicably settled.

5. Issue notice. Mr. Tarang Srivastava, learned Additional Public Prosecutor, accepts notice on behalf of the State. Learned counsel accepts notice on behalf of respondent No.2.

6. The petitioners are present in Court and are identified by their learned counsel as well as by the Investigating Officer [“IO”]. Respondent No. 2 is also present in person and is identified by his learned counsel and the IO.

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

8. The impugned FIR was registered at the instance of respondent No. 2, against the petitioners, arising out of a neighbourhood altercation.

9. Respondent No. 2 lodged a complaint alleging that at about 4:00 A.M. on 08.10.2025, while returning home near Vardhman Mall, Nehru Vihar, he was accosted by three persons who were consuming alcohol near the main gate of the locality. It was alleged that, upon his objecting to their abusive behaviour, the petitioners assaulted him with bricks, causing injuries to his head and face. The assailants allegedly fled from the spot in a vehicle, while also threatening to kill him. Respondent No. 2 was thereafter taken to hospital. His Medico-Legal Case [“MLC”] was prepared at Gangaram Hospital, following which he was shifted to B.L.K. Max Hospital for further treatment. On the basis of the said complaint,



the subject FIR came to be registered at Police Station Timarpur.

10. Upon completion of investigation, chargesheet was filed against petitioner No. 2 in November 2025 under Sections 110/351(3)/324(2)/3(5) of the BNS.

11. The parties entered into a settlement to put a quietus to the dispute, *vide* Memorandum of Understanding dated 20.11.2025. It was agreed that the petitioners had already paid the medical expenses incurred by the complainant, who acknowledged full and final satisfaction and stated that the incident arose out of a misunderstanding. Respondent No. 2 further expressed no objection to the grant of anticipatory/regular bail to the accused persons and to the quashing of the FIR and all consequential proceedings.

12. In the MLC, although the injuries have been characterised as “*simple*”, Mr. Srivastava submits that respondent No. 2 suffered nasal fracture in the incident in question. Respondent No. 2, who is present in person, however, states that the injuries were not of a lasting nature and have since healed.

13. I am informed that the parties were known to each other and that the incident occurred on account of a personal dispute. Neither of the petitioners has any other criminal antecedents.

14. Learned counsel for the parties confirm that the settlement has been entered into voluntarily, without any coercion, undue influence, or pressure of any kind.

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

16. The Supreme Court has held that, in appropriate circumstances,



High Courts, while exercising their powers under Section 528 of the BNSS (corresponding to Section 482 of the CrPC), may quash criminal proceedings, even in cases involving non-compoundable offences, where a compromise has been reached between the accused and the complainant, particularly when no overriding public interest is adversely affected.

17. 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

¹ 2012 10 SCC 303.



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.*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 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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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

18. The offences alleged in the subject FIR arise out of a personal dispute between the parties and stem from a neighbourhood misunderstanding. They do not involve any wider public interest or grave criminality. Respondent No. 2 confirmed before the Court that the injuries suffered by him have healed and that he does not wish to pursue the matter against the petitioners, who are his neighbours. In accordance with the principles laid down by the Supreme Court, it is also relevant to note that respondent No. 2 has affirmed the voluntary nature of the settlement before this Court. In these circumstances, continuation of the criminal proceedings is unlikely to result in a conviction and would serve no practical purpose, while only adding to the burden on the justice system and unnecessarily consuming public resources.

19. Having regard to the circumstances giving rise to the impugned FIR, I accept the suggestion of Mr. Srivastava that this is an appropriate case for both imposition of costs and direction of community service. The petitioners are accordingly directed to deposit Rs. 7,500/- each, as costs, to be paid to the *Delhi High Court Bar Association Costs Account* [A/C No. 15530110179338; IFSC Code: UCBA0001553; UCO Bank, Delhi High Court Branch] within one week from today, and proof of such



deposit shall be filed within one week thereafter.

20. The petitioners shall also report for community service before the Medical Superintendent, Hindu Rao Hospital, Gandhi Square, Malka Ganj, New Delhi, on 23.05.2026 at 11:00 AM. The Medical Superintendent is requested to assign suitable duties to the petitioners for a total of four sessions of three hours each, to be completed within the next two months. The schedule for the said community service may be fixed in consultation with the hospital authorities, keeping in view the petitioners' work-related and professional commitments. Upon completion of the community service, the Medical Superintendent is requested to issue a certificate of compliance. The petitioners shall place the said certificate on record within two weeks thereafter.

21. In view of the foregoing discussion, the petition is allowed, and FIR No. 429/2025, dated 08.10.2025, registered at Police Station Timarpur, District North, Delhi, under Sections 110/351(2)/324(2)/3(5) of the BNS, together with all proceedings arising therefrom, is hereby quashed.

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

23. The petition, alongwith the pending application, accordingly stands disposed of.

PRATEEK JALAN, J

MAY 15, 2026

'sv/JM'/

⁴ Emphasis supplied.